

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

May 4, 2022

Committee on Finance.

After consideration on the merits, the Committee recommends the following:

HB22-1355 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend reengrossed bill, page 14, line 1, strike "OR".
- 2 Page 14, line 6, after "STATE;" insert "OR
- 3 (III) IF THERE IS NO PERSON DESCRIBED IN SUBSECTION (30)(a)(I)
- 4 OR (30)(a)(II) OF THIS SECTION WITHIN THE UNITED STATES, THE PERSON
- 5 THAT IMPORTS THE PRODUCT USING COVERED MATERIALS INTO THE
- 6 UNITED STATES FOR USE IN A COMMERCIAL ENTERPRISE THAT SELLS OR
- 7 DISTRIBUTES THE ITEM IN THE STATE;"
- 8 Page 15, line 3, strike "(4)(h)(II)" and substitute "(4)(i)(II)".
- 9 Page 24, line 3, strike "(4)(i)" and substitute "(4)(j)".
- 10 Page 27, line 5, strike "(4)(y)" and substitute "(4)(z)".
- 11 Page 28, after line 1 insert:
- 12 "(d) DESCRIBE HOW THE ORGANIZATION WILL NOTIFY AFFECTED
- 13 PRODUCERS OF THEIR OBLIGATIONS UNDER THIS PART 6;"
- 14 Reletter succeeding paragraphs accordingly.
- 15 Page 28, line 20, strike "NEWSPAPERS" and substitute "NEWSPAPERS,
- 16 MAGAZINES, AND PERIODICALS".
- 17 Page 29, line 1, strike "(4)(i)" and substitute "(4)(j)".
- 18 Page 33, line 18, strike "(4)(o)" and substitute "(4)(p)".

- 1 Page 37, line 1, after "(2)(c)." insert "AT LEAST SIXTY DAYS PRIOR TO THE
2 DEADLINE TO SUBMIT THE ANNUAL REPORT, THE DEPARTMENT MAY
3 REQUEST THAT THE ORGANIZATION SUBMIT AN AMENDMENT TO THE
4 ANNUAL PLAN TO ADDRESS A SPECIFIC CONCERN OR ASPECT OF THE PLAN."
- 5 Page 39, line 21, strike "(4)(o)." and substitute "(4)(p).".
- 6 Page 40, line 24, strike "(4)(o)." and substitute "(4)(p).".
- 7 Page 42, line 5, strike "(4)(o)" and substitute "(4)(p)".
- 8 Page 46, line 16, strike "(4)(h)." and substitute "(4)(i).".
- 9 Page 48, strike lines 9 and 10 and substitute "PROGRAM AND ANY
10 PRODUCERS THAT MAY BE OUT OF COMPLIANCE WITH ONE OR MORE
11 OBLIGATIONS IMPOSED BY THIS PART 6;"
- 12 Page 48, line 17, strike "MATERIAL;" and substitute "MATERIAL AND ANY
13 ANNUAL INCREASES OR DECREASES IN THE DUES SCHEDULE AND THE
14 REASONS FOR THESE ADJUSTMENTS;"
- 15 Page 49, line 5, strike "(4)(o);" and substitute "(4)(p);".
- 16 Page 51, line 19, after "REPORT." insert "ADDITIONALLY, AT LEAST EVERY
17 THREE YEARS STARTING IN 2028, THE EXECUTIVE DIRECTOR SHALL
18 INCLUDE IN THE GENERAL REPORT THE OUTCOME OF THE CONSUMER COST
19 IMPACT REVIEW CONDUCTED BY THE DEPARTMENT PURSUANT TO
20 SUBSECTION (4) OF THIS SECTION."
- 21 Page 51, line 20, strike "WEBSITE" and substitute "WEBSITE AND SUBMIT
22 THE REPORT TO THE GOVERNOR".
- 23 Page 51, lines 23 and 24, strike "AND THE GOVERNOR." and substitute
24 "DURING THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE,
25 AND TRANSPARENT (SMART) GOVERNMENT ACT" HEARINGS HELD
26 PURSUANT TO PART 2 OF ARTICLE 7 OF TITLE 2."
- 27 Page 52, after line 11 insert:
28 "(4) NO LESS THAN EVERY THREE YEARS, STARTING IN 2028, THE
29 DEPARTMENT SHALL CONDUCT A REVIEW OF CONSUMER COST IMPACTS
30 RESULTING FROM THE PROGRAM, INCLUDING ASSESSMENTS OF INCREASED
31 PRICES FOR COVERED MATERIALS RELATIVE TO THE PRICES FOR THOSE
32 MATERIALS IN OTHER STATES, AS WELL AS LOCAL GOVERNMENT

1 EXPENDITURES AND CONSUMER SPENDING ON RECYCLING SERVICES AND
2 TRASH COLLECTION AND DISPOSAL."

3 Page 57, after line 27, insert:

4 **"25-17-616. No obligation to provide recycling services.**
5 NOTWITHSTANDING ANY LAW TO THE CONTRARY, A PRIVATE SERVICE
6 PROVIDER IS NOT REQUIRED TO PROVIDE RECYCLING SERVICES UNDER THE
7 PROGRAM OR ANY OTHER PLAN APPROVED BY THE EXECUTIVE DIRECTOR
8 PURSUANT TO THIS PART 6."

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