

SB123_L.004

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

SB24-123 be amended as follows:

1 Amend proposed committee amendment (SB123_L.001), page 1, after
2 line 16 insert:

3 "Page 5 of the printed bill, line 5, strike "RECYCLING" and substitute
4 "RECYCLING, BENEFICIAL REUSE,"."

5 Page 2 of the proposed committee amendment, strike lines 3 and 4 and
6 substitute:

7 "Page 6 of the printed bill, strike line 5 and substitute, "PROMOTE WASTE
8 TIRE RECYCLING, BENEFICIAL REUSE, AND MANAGEMENT STRATEGIES
9 IN"."

10 Page 2 of the proposed committee amendment, line 7, before "SENATE"
11 insert "THIS".

12 Page 2 of the proposed committee amendment, line 12, strike
13 "RECYCLING" and substitute "RECYCLING, BENEFICIAL USE,".

14 Page 2 of the proposed committee amendment, before line 24 insert:

15 "Page 6 of the printed bill, line 23, strike "RECYCLING" and substitute
16 "RECYCLING, BENEFICIAL REUSE,".

17 Page 6 of the printed bill, line 26, strike "RECYCLING" and substitute
18 "RECYCLING, BENEFICIAL REUSE,".

19 Page 7 of the printed bill, line 3, strike "RECYCLING" and substitute
20 "RECYCLING, BENEFICIAL REUSE,"."

21 Amend proposed committee amendment, page 2, strike lines 24 through
22 31 and substitute:

23 "Page 7 of the printed bill, strike lines 8 through 15 and substitute:

24 "(VI) (A) CONTRACT WITH ANY PUBLIC OR PRIVATE ENTITY,
25 INCLUDING STATE AGENCIES, CONSULTANTS, AND THE ATTORNEY
26 GENERAL'S OFFICE, FOR PROFESSIONAL AND TECHNICAL ASSISTANCE,
27 OFFICE SPACE AND ADMINISTRATIVE SERVICES, ADVICE, AND OTHER
28 SERVICES RELATED TO THE CONDUCT OF THE AFFAIRS OF THE ENTERPRISE.
29 THE BOARD SHALL ENCOURAGE DIVERSITY IN APPLICANTS FOR CONTRACTS

1 AND SHALL GENERALLY AVOID USING SINGLE-SOURCE BIDS.

2 (B) THE ENTERPRISE SHALL PAY A FAIR MARKET RATE TO ANY
3 PUBLIC ENTITY, PRIVATE ENTITY, CONTRACTOR, OR CONSULTANT, WHICH
4 MAY INCLUDE A STATE AGENCY, THE ATTORNEY GENERAL'S OFFICE, OR
5 THE DEPARTMENT, THAT IS HIRED BY THE ENTERPRISE TO PERFORM DUTIES
6 PURSUANT TO THIS SUBSECTION (1)(b)."."

7 Page 3 of the proposed committee amendment, strike lines 11 through 15
8 and substitute:

9 "Page 9 of the printed bill, strike lines 22 through 27 and substitute, "FEE
10 IS IMPOSED IN AN AMOUNT THAT IS:

11 (A) REASONABLY RELATED TO THE DIRECT AND INDIRECT COSTS
12 OF OPERATING THE ENTERPRISE IN ACCORDANCE WITH THIS PART 14 AND
13 THE SERVICES PROVIDED BY THE ENTERPRISE, WHICH COSTS MUST NOT
14 EXCEED THE EQUIVALENT OF ONE-HALF OF THE WASTE TIRE ENTERPRISE
15 FEE COLLECTED FOR EACH NEW TIRE SOLD PURSUANT TO THIS SUBSECTION
16 (2);"."

17 Page 3 of the proposed committee amendment, strike line 18 and
18 substitute, "REBATES AS DESCRIBED IN SECTION 30-20-1405; AND

19 (C) SUFFICIENT TO PROVIDE GRANTS TO ELIGIBLE ENTITIES
20 PURSUANT TO THE WASTE TIRE MANAGEMENT GRANT PROGRAM
21 ESTABLISHED IN SECTION 30-20-1418."

22 Page 4 of the proposed committee amendment, line 7, strike "FEE," and
23 substitute "FEE".

24 Page 4 of the proposed committee amendment, line 28, after "(2)(a)"
25 insert "OF THIS SECTION".

26 Page 4 of the proposed committee amendment, line 41, strike "FUND;
27 AND" and substitute "FUND."

28 Page 5 of the proposed committee amendment, strike line 15 and
29 substitute "(2)(k), (2)(l), (2)(p), (3), (4), and" and strike "and (2)(t)" and
30 substitute "(2)(t), and (2)(u)".

31 Page 6 of the proposed committee amendment, after line 15 insert:

32 "Page 12 of the printed bill, strike line 27 and substitute, "OFFICIAL
33 ENTERPRISE BUSINESS;

34 (t) FUNDING GRANTS IN ACCORDANCE WITH THE WASTE TIRE

1 MANAGEMENT GRANT PROGRAM ESTABLISHED IN SECTION 30-20-1418;
2 AND".

3 Reletter succeeding paragraph accordingly."

4 Page 7 of the proposed committee amendment, line 19, strike "(2)(b)" and
5 substitute "(3)(b)".

6 Page 9 of the proposed committee amendment, strike line 15 and
7 substitute "by July 1, ~~2024~~ 2034.

8 **SECTION 8.** In Colorado Revised Statutes, **add** 30-20-1418 as
9 follows:

10 **30-20-1418. Waste tire management grant program -**
11 **definitions - repeal.** (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT
12 OTHERWISE REQUIRES:

13 (a) "ELIGIBLE ENTITY" MEANS THE FOLLOWING ENTITIES THAT
14 PROVIDE SERVICES RELATED TO WASTE TIRE RECYCLING, BENEFICIAL
15 REUSE, AND MANAGEMENT IN COLORADO:

16 (I) MUNICIPALITIES, COUNTIES, AND CITIES AND COUNTIES;

17 (II) NONPROFIT AND FOR-PROFIT BUSINESSES INVOLVED IN WASTE
18 TIRE RECYCLING, BENEFICIAL REUSE, AND MANAGEMENT; AND

19 (III) INSTITUTIONS OF HIGHER EDUCATION AND PUBLIC OR PRIVATE
20 SCHOOLS.

21 (b) "GRANT PROGRAM" MEANS THE WASTE TIRE MANAGEMENT
22 GRANT PROGRAM CREATED IN THIS SECTION.

23 (2) (a) THERE IS CREATED THE WASTE TIME MANAGEMENT GRANT
24 PROGRAM, WHICH SHALL BE ADMINISTERED BY THE ENTERPRISE.

25 (b) THE ENTERPRISE SHALL, SUBJECT TO AVAILABLE
26 APPROPRIATIONS AND REVENUES, AWARD GRANTS FROM THE WASTE TIRE
27 MANAGEMENT ENTERPRISE FUND, CREATED IN SECTION 30-20-1404, IN
28 ACCORDANCE WITH THIS SECTION.

29 (3) (a) THE PURPOSE OF THE GRANT PROGRAM IS TO:

30 (I) PROMOTE THE DEVELOPMENT OF WASTE TIRE RECYCLING,
31 BENEFICIAL REUSE, AND MANAGEMENT STRATEGIES IN ACCORDANCE WITH
32 THIS PART 14;

33 (II) DEVELOP WASTE TIRE RECYCLING, BENEFICIAL REUSE, AND
34 MANAGEMENT FACILITIES AND INFRASTRUCTURE; AND

35 (III) EXPAND WASTE TIRE RECYCLING, BENEFICIAL REUSE, AND
36 MANAGEMENT SERVICES TO FEE PAYERS.

37 (b) THE GRANT PROGRAM IS INTENDED TO PROVIDE ECONOMIC AND
38 TECHNICAL ASSISTANCE TO ELIGIBLE ENTITIES IN THEIR EFFORTS RELATED
39 TO THE RECYCLING, BENEFICIAL REUSE, AND MANAGEMENT OF WASTE
40 TIRES.

1 (4) (a) AN ELIGIBLE ENTITY MAY SUBMIT AN APPLICATION TO THE
2 ENTERPRISE FOR A GRANT PURSUANT TO THE APPLICATION POLICIES AND
3 PROCEDURES ESTABLISHED BY THE BOARD.

4 (b) AT A MINIMUM, AN APPLICATION SUBMITTED TO THE BOARD
5 MUST INCLUDE THE FOLLOWING INFORMATION:

6 (I) AN APPLICATION NARRATIVE THAT DESCRIBES HOW THE
7 ELIGIBLE ENTITY WILL USE THE GRANT, INCLUDING HOW THE GRANT WILL
8 PROMOTE THE RECYCLING, BENEFICIAL REUSE, AND MANAGEMENT OF
9 WASTE TIRES;

10 (II) AN ESTIMATE OF THE COST OF THE EQUIPMENT,
11 INFRASTRUCTURE, OR PROJECT THE ELIGIBLE ENTITY IS INTENDING TO
12 FUND WITH THE GRANT AND WHETHER THE EQUIPMENT, INFRASTRUCTURE,
13 OR PROJECT MEETS THE REQUIREMENTS SPECIFIED IN SUBSECTION (5) OF
14 THIS SECTION;

15 (III) THE AMOUNT OF IN-KIND CONTRIBUTIONS OR MATCHING
16 FUNDS, IF ANY, TO THE PROJECT BUDGET FROM THE APPLICANT OR OTHER
17 SOURCES OUTSIDE OF THE GRANT; AND

18 (IV) WHETHER THERE IS LOCAL COMMUNITY SUPPORT FOR THE
19 GRANT APPLICATION.

20 (5) (a) THE BOARD MAY AWARD GRANTS TO ELIGIBLE ENTITIES FOR
21 THE FOLLOWING PURPOSES:

22 (I) THE PURCHASE OF WASTE TIRE RECYCLING, BENEFICIAL REUSE,
23 AND MANAGEMENT EQUIPMENT OR INFRASTRUCTURE;

24 (II) STAFFING OF WASTE TIRE RECYCLING, BENEFICIAL REUSE, AND
25 MANAGEMENT FACILITIES;

26 (III) MARKETING AND COMMUNICATIONS FOR WASTE TIRE
27 RECYCLING, BENEFICIAL REUSE, AND MANAGEMENT SERVICES;

28 (IV) POLICY AND RESEARCH DEVELOPMENT RELATED TO WASTE
29 TIRE RECYCLING, BENEFICIAL REUSE, AND MANAGEMENT STRATEGIES;

30 (V) COMMUNITY ENGAGEMENT REGARDING WASTE TIRE
31 RECYCLING, BENEFICIAL REUSE, AND MANAGEMENT; AND

32 (VI) OTHER PROJECTS OR USES AS DETERMINED BY THE BOARD.

33 (b) (I) THE BOARD MAY AWARD GRANTS TO AN ELIGIBLE ENTITY
34 FOR THE PURCHASE OF EQUIPMENT OR INFRASTRUCTURE, BUT NO MORE
35 THAN FIFTY PERCENT OF THE COST OF ANY EQUIPMENT OR
36 INFRASTRUCTURE CAN BE FUNDED THROUGH THE GRANT PROGRAM.

37 (II) THE BOARD MAY AWARD GRANTS TO AN ELIGIBLE ENTITY THAT
38 FUND ONE HUNDRED PERCENT OF THE COST OF A PROJECT THAT DOES NOT
39 INVOLVE THE PURCHASE OF EQUIPMENT OR INFRASTRUCTURE.

40 (c) IN AWARDING GRANTS TO ELIGIBLE ENTITIES, THE BOARD IS
41 SUBJECT TO THE FOLLOWING CONDITIONS:

42 (I) UP TO FORTY PERCENT OF THE ENTERPRISE'S ANNUAL GRANT
43 FUNDING MAY GO TO A SINGLE AWARD; AND

1 (II) IF THE BOARD AWARDS A GRANT TO AN ELIGIBLE ENTITY FOR
2 THE PURCHASE OF INFRASTRUCTURE OR EQUIPMENT, THE ELIGIBLE ENTITY
3 IS INELIGIBLE TO RECEIVE A GRANT FOR THE FOLLOWING FIVE YEARS.

4 (6) (a) (I) THE BOARD SHALL ESTABLISH CRITERIA AND POLICIES TO
5 DETERMINE WHICH GRANTS TO AWARD FROM THE GRANT APPLICATIONS,
6 WHICH CRITERIA AND POLICIES IT SHALL MAKE AVAILABLE TO APPLICANTS.

7 (II) THE BOARD SHALL GIVE PRIORITY TO PROJECTS THAT ADVANCE
8 SUSTAINABLE DESIGN, PRODUCTION, RECOVERABILITY, REUSE, REPAIR, OR
9 RECYCLING OF WASTE TIRES, WITH THE HIGHEST PRIORITY GIVEN TO
10 PROJECTS THAT WOULD KEEP WASTE TIRE MATERIAL AVAILABLE FOR
11 REMANUFACTURING.

12 (b) THE BOARD SHALL ESTABLISH POLICIES FOR THE GRANT
13 PROGRAM, WHICH MUST INCLUDE:

14 (I) AN APPLICATION FORM AND APPLICATION PROCEDURES;

15 (II) A DEADLINE EACH YEAR FOR WHEN GRANT PROGRAM
16 APPLICATIONS MUST BE SUBMITTED;

17 (III) A POLICY THAT REQUIRES A GRANT RECIPIENT TO ENTER INTO
18 A GRANT AGREEMENT WITH THE BOARD THAT INCLUDES A SCOPE OF WORK
19 AND DEADLINES FOR THE ACHIEVEMENT OF THAT WORK;

20 (IV) CRITERIA FOR MEASURING PROGRESS OF THE PROJECTS THAT
21 RECEIVE FUNDING THROUGH THE GRANT PROGRAM;

22 (V) A POLICY THAT REQUIRES ANNUAL REPORTING BY GRANT
23 RECIPIENTS ON THE PROGRESS OF THE PROJECT FINANCED BY THE GRANT;
24 AND

25 (VI) A POLICY REGARDING A GRANT RECIPIENT'S NONCOMPLIANCE
26 WITH THE GRANT AGREEMENT ENTERED INTO BY THE GRANT RECIPIENT'S
27 AND THE BOARD, WHICH POLICY MAY INCLUDE A MECHANISM FOR THE
28 BOARD TO CONVERT THE GRANT RECIPIENT'S GRANT TO A LOAN WITH
29 INTEREST.

30 (7) (a) THE GRANT PROGRAM IS FUNDED BY THE WASTE TIRE
31 ENTERPRISE FEE. THE BOARD MAY DESIGNATE UP TO TEN PERCENT OF THE
32 REVENUE GENERATED FROM THE ENTERPRISE FEE TO THE GRANT PROGRAM
33 IN ANY GIVEN YEAR.

34 (b) THE BOARD SHALL NOT AWARD ANY GRANTS TO ELIGIBLE
35 ENTITIES THROUGH THE GRANT PROGRAM AFTER DECEMBER 31, 2040.

36 (8) THIS SECTION IS REPEALED EFFECTIVE DECEMBER 31, 2042."."

37 Page 9 of the proposed committee amendment, line 19, strike "26." and
38 substitute "19."

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