

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0149.01 Jery Payne x2157

HOUSE BILL 12-1034

HOUSE SPONSORSHIP

Looper, Fischer, Hamner, Jones, Ramirez, Tyler, Vaad, Young

SENATE SPONSORSHIP

Spence, Hudak, King S., Williams S.

House Committees
Transportation

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING CONTINUING THE PROCESSORS AND END USERS FUND**
102 **THAT ENCOURAGES RECYCLING OF WASTE TIRES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Transportation Legislation Review Committee. Currently, the processors and end users fund, which allocates money to encourage recycling, is scheduled to repeal on July 1, 2012. The fund is extended to July 1, 2020.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 25-17-202.5
3 as follows:

4 **25-17-202.5. Processors and end users fund created - rules -**
5 **repeal.** (1) There is hereby created, in the state treasury, the processors
6 and end users fund. Such fund shall consist of the fee revenue credited
7 pursuant to section 25-17-202 (3) (a) (I) AND year-end surpluses
8 transferred pursuant to sections 25-17-202.6 (1), 25-17-202.8 (1),
9 25-17-202.9 (1), and 25-17-207 (4). ~~and transfers by the state treasurer on~~
10 ~~June 10, 2010, of the balances of the unexpended and unencumbered~~
11 ~~moneys in the waste tire cleanup fund formerly created in section~~
12 ~~24-32-117, C.R.S., and the advanced technology fund formerly created~~
13 ~~in section 25-16.5-105 (2) (a), as such balances existed on June 10, 2010,~~
14 ~~and as such funds existed prior to their repeal.~~ All interest or any other
15 return on the investment of moneys in the fund shall be deposited in the
16 fund. Any moneys in the fund not expended or encumbered from any
17 appropriation at the end of any fiscal year shall remain available ~~without~~
18 ~~further appropriation,~~ for expenditure in the next fiscal year by the
19 department to be used for monthly partial reimbursement to processors
20 and end users, up to a maximum of sixty-five dollars for each ton of raw
21 Colorado waste tires that are processed or used. The purpose of such
22 partial reimbursements shall be IS to assist new and existing waste tire
23 recycling technologies to become economically feasible and to thereby
24 encourage the use of waste tires and reduce the storage of waste tires in
25 Colorado.

26 (1.5) ~~Notwithstanding any provision of subsection (1) of this~~

1 ~~section to the contrary, on April 15, 2010, the state treasurer shall deduct~~
2 ~~five hundred thousand dollars from the processors and end users of waste~~
3 ~~tires cash fund and transfer such sum to the general fund.~~

4 (2) This section is repealed, effective July 1, ~~2012~~ 2020.

5 **SECTION 2. Effective date.** This act shall take effect July 1,
6 2012.

7 **SECTION 3. Safety clause.** The general assembly hereby finds,
8 determines, and declares that this act is necessary for the immediate
9 preservation of the public peace, health, and safety.