## Second Regular Session Sixty-eighth General Assembly STATE OF COLORADO

## REENGROSSED

This Version Includes All Amendments Adopted in the House of Introduction HOUSE BILL 12-1034

LLS NO. 12-0149.01 Jery Payne x2157

### **HOUSE SPONSORSHIP**

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

#### SENATE SPONSORSHIP

Spence, Hudak, King S., Williams S.

House Committees Transportation Appropriations **Senate Committees** 

# A BILL FOR AN ACT

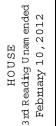
#### 101 CONCERNING CONTINUING THE PROCESSORS AND END USERS FUND

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.



# HOUSE Am ended 2nd Reading Febmary 9, 2012

1	Be it enacted by the General Assembly of the State of Colorado:
2	SECTION 1. In Colorado Revised Statutes, 25-17-202, amend
3	(1) (c) as follows:
4	<b>25-17-202. Waste tire fees - definitions - repeal.</b> (1) As used in
5	this part 2, unless the context otherwise requires:
6	(c) "End user" means a person who uses processed waste tires A
7	TIRE-DERIVED PRODUCT for a commercial or industrial purpose.
8	<b>SECTION 2.</b> In Colorado Revised Statutes, <b>amend</b> 25-17-202.5
9	as follows:
10	25-17-202.5. Processors and end users fund created - rules -
11	repeal. (1) There is hereby created, in the state treasury, the processors
12	and end users fund. Such fund shall consist of the fee revenue credited
13	pursuant to section 25-17-202 (3) (a) (I) AND year-end surpluses
14	transferred pursuant to sections 25-17-202.6 (1), 25-17-202.8 (1),
15	25-17-202.9 (1), and 25-17-207 (4). and transfers by the state treasurer on
16	June 10, 2010, of the balances of the unexpended and unencumbered
17	moneys in the waste tire cleanup fund formerly created in section
18	24-32-117, C.R.S., and the advanced technology fund formerly created
19	in section 25-16.5-105 (2) (a), as such balances existed on June 10, 2010,
20	and as such funds existed prior to their repeal. All interest or any other
21	return on the investment of moneys in the fund shall be deposited in the
22	fund. Any moneys in the fund not expended or encumbered from any
23	appropriation at the end of any fiscal year shall remain available, without
24	further appropriation, for expenditure in the next fiscal year by the
25	department to be used THE GENERAL ASSEMBLY SHALL APPROPRIATE
26	MONEYS IN THE FUND for monthly partial reimbursement to processors and

1 end users, up to a maximum of sixty-five dollars for each ton of raw 2 Colorado waste tires that are processed or used. The purpose of such THE 3 partial reimbursements shall be IS to assist new and existing waste tire 4 recycling technologies to become economically feasible and to thereby 5 encourage the use of waste tires and reduce the storage of waste tires in 6 Colorado. THE DEPARTMENT SHALL NOT REIMBURSE A PROCESSOR FOR 7 PROCESSING WASTE TIRES UNLESS THE PROCESSOR HAS END USED THE 8 TIRE-DERIVED PRODUCT OR IF THE TIRE-DERIVED PRODUCT HAS BEEN SOLD 9 FOR AN END USE AND MOVED OFF-SITE.

10 (1.5) Notwithstanding any provision of subsection (1) of this 11 section to the contrary, on April 15, 2010, the state treasurer shall deduct 12 five hundred thousand dollars from the processors and end users of waste 13 tires cash fund and transfer such sum to the general fund. THE STATE 14 DEPARTMENT SHALL IDENTIFY OTHER MARKETS IN THE STATE THAT ARE 15 ABLE, WITHOUT TAXPAYER OR WASTE TIRE CLEAN UP FUNDS, TO 16 ELIMINATE ILLEGAL TIRE DUMPING AND TO RECYCLE OR REUSE WASTE 17 TIRES IN NEWER TECHNOLOGIES.

18 (2) This section is repealed, effective July 1, <del>2012</del> 2015.

SECTION 3. Effective date. This act shall take effect July 1,
20 2012.

SECTION 4. Safety clause. The general assembly hereby finds,
determines, and declares that this act is necessary for the immediate
preservation of the public peace, health, and safety.