

1                                   **WASTE TIRE RECYCLING FUND AMENDMENTS**

2                                                           2023 GENERAL SESSION

3                                                           STATE OF UTAH

4                                                           **Chief Sponsor: Casey Snider**

5                                                           Senate Sponsor: Scott D. Sandall

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7 **LONG TITLE**

8 **General Description:**

9           This bill modifies provisions related to waste tire recycling.

10 **Highlighted Provisions:**

11           This bill:

- 12           ▶ repeals provisions related to certain municipal landfill deposits; and
- 13           ▶ makes technical changes.

14 **Money Appropriated in this Bill:**

15           None

16 **Other Special Clauses:**

17           None

18 **Utah Code Sections Affected:**

19 **AMENDS:**

20           **19-6-807**, as last amended by Laws of Utah 2022, Chapters 336 and 454

21           **19-6-816.5**, as enacted by Laws of Utah 2022, Chapter 454

22 **REPEALS:**

23           **19-6-808.5**, as enacted by Laws of Utah 2022, Chapter 454

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25 *Be it enacted by the Legislature of the state of Utah:*

26           Section 1. Section **19-6-807** is amended to read:

27           **19-6-807. Waste Tire Recycling Fund.**

28           (1) There is created an expendable special revenue fund entitled the "Waste Tire  
29 Recycling Fund."

- 30 (2) The fund shall consist of:
- 31 (a) the proceeds of:
- 32 (i) a fee imposed under Section 19-6-805; and
- 33 (ii) a fee imposed under Section 19-6-806; and
- 34 (b) penalties collected under this part~~[, and]~~.
- 35 ~~[(c) money paid into the account under Section 19-6-808.5.]~~
- 36 (3) Money in the fund shall be used for:
- 37 (a) partial reimbursement of the costs of transporting, processing, recycling, or
- 38 disposing of waste tires as provided in this part; and
- 39 (b) payment of administrative costs of local health departments as provided in Section
- 40 19-6-817~~[, and]~~.
- 41 ~~[(c) payment to a county pursuant to Section 19-6-808.5.]~~
- 42 (4) The Legislature may appropriate money from the fund to pay for:
- 43 (a) the costs of the Department of Environmental Quality in administering and
- 44 enforcing this part; and
- 45 (b) other operational costs of the Department of Environmental Quality, if the
- 46 Legislature estimates there is a deficit in the Department of Environmental Quality's budget for
- 47 the current or next fiscal year.
- 48 Section 2. Section 19-6-816.5 is amended to read:
- 49 **19-6-816.5. Fund balance maintenance.**
- 50 (1) As used in this section:
- 51 (a) "Qualified recycler" means a recycler who is qualified to receive a partial
- 52 reimbursement under Section 19-6-809 during a fiscal year for which there are surplus funds.
- 53 (b) "Surplus funds" means, at the end of a fiscal year, money in the fund in excess of
- 54 \$2,000,000 after all partial reimbursements and payments to local health departments~~[, and all~~
- 55 ~~payments to a county]~~ as provided in this part have been paid.
- 56 (2) At the end of a fiscal year, the Division of Finance shall use surplus funds to make
- 57 payments to qualified recyclers equal to \$10 for each ton of waste tires, material derived from

58 waste tires, or chipped tires, for which the recycler received a partial reimbursement under  
59 Subsection 19-6-809(2).

60 (3) If the surplus funds are insufficient to make the payments described in Subsection  
61 (2), the Division of Finance shall prorate the amount per ton that is paid to each qualified  
62 recycler.

63 (4) The Division of Finance may not make [~~any~~] a payment under this section that  
64 would cause the balance of the fund to be less than \$2,000,000.

65 Section 3. **Repealer.**

66 This bill repeals:

67 Section 19-6-808.5, **Municipal landfill deposits.**