

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.SB25-163 be amended as follows:

1 Amend the Health and Human Services Committee Report, dated
2 February 26, 2025, page 2, strike lines 12 and 13 and substitute:

3 "Page 33 of the printed bill, strike lines 17 through 27 and substitute
4 **"responsibilities of the executive director.** (1) (a) IN ADDITION TO THE
5 ANNUAL FEE DESCRIBED IN SUBSECTION (1)(b) OF THIS SECTION, A
6 BATTERY STEWARDSHIP ORGANIZATION SHALL PAY A ONE-TIME PLAN
7 REVIEW FEE, IN THE AMOUNT OF FIFTY THOUSAND DOLLARS, AT THE TIME
8 THE BATTERY STEWARDSHIP ORGANIZATION SUBMITS A PLAN TO THE
9 EXECUTIVE DIRECTOR FOR APPROVAL. IF THE EXECUTIVE DIRECTOR
10 APPROVES THE PLAN, THE BATTERY STEWARDSHIP ORGANIZATION SHALL
11 PAY AN ADDITIONAL ADMINISTRATIVE FEE OF THIRTY THOUSAND DOLLARS
12 WITHIN THREE MONTHS AFTER THE PLAN IS APPROVED. THERE IS NO FEE
13 WHEN A BATTERY STEWARDSHIP ORGANIZATION SEEKS TO RENEW A PLAN
14 THAT WAS PREVIOUSLY APPROVED BY THE EXECUTIVE DIRECTOR OR
15 SUBMITS A PLAN AMENDMENT.

16 (b) WITHIN TWELVE MONTHS AFTER A PLAN IS APPROVED, AND ON
17 OR BEFORE EACH JULY 1 THEREAFTER, A BATTERY STEWARDSHIP
18 ORGANIZATION SHALL PAY TO THE DEPARTMENT AN ANNUAL FEE TO
19 COVER THE DEPARTMENT'S COST OF IMPLEMENTING, ADMINISTERING, AND
20 ENFORCING THIS PART 10. THE STATE TREASURER SHALL CREDIT THE
21 ANNUAL FEES TO THE FUND, AND THE DEPARTMENT SHALL USE THE FEES
22 FOR COSTS ASSOCIATED WITH THE ADMINISTRATION OF THIS PART 10. THE
23 AMOUNT OF THE FIRST ANNUAL FEE IS EIGHTY THOUSAND DOLLARS. FOR
24 EACH ANNUAL FEE THEREAFTER, THE COMMISSION SHALL ESTABLISH THE
25 FEE AMOUNT BY RULE.".

26 Page 34 of the bill, strike lines 1 through 8.

27 Page 34 of the bill, strike lines 17 through 27 and substitute "FUND TO THE
28 FUND. MONEY NOT EXPENDED AT THE END OF A STATE FISCAL YEAR
29 REMAINS IN THE FUND AND DOES NOT REVERT TO THE GENERAL FUND OR
30 ANY OTHER FUND.

31 (d) THE DEPARTMENT SHALL USE FUNDS COLLECTED PURSUANT TO
32 THIS SECTION TO PROVIDE DIRECT SERVICES TO BATTERY STEWARDSHIP
33 ORGANIZATIONS WITH AN APPROVED PLAN TO ENSURE EFFECTIVE
34 PROGRAM OVERSIGHT, COMPLIANCE SUPPORT, AND PUBLIC ENGAGEMENT.
35 SUCH SERVICES INCLUDE:

36 (I) REVIEWING, APPROVING, AND PROVIDING FEEDBACK ON
37 BATTERY STEWARDSHIP PLANS AND PLAN AMENDMENTS TO ENSURE
38 COMPLIANCE WITH STATE LAW AND TO HELP ORGANIZATIONS MEET

1 PERFORMANCE GOALS EFFICIENTLY;

2 (II) CONDUCTING COMPLIANCE AUDITS, REVIEWING ANNUAL
3 REPORTS SUBMITTED PURSUANT TO SECTION 25-17-1011 WITHIN NINETY
4 DAYS AFTER SUBMISSION, AND OFFERING APPLICABLE TECHNICAL
5 RECOMMENDATIONS TO IMPROVE PROGRAM EFFECTIVENESS AND
6 TRANSPARENCY;

7 (III) PROVIDING, UPON REQUEST, A LIST OF APPROVED BATTERY
8 STEWARDSHIP ORGANIZATIONS, PARTICIPATING PRODUCERS, AND
9 COMPLIANT RETAILERS TO INCREASE CONSUMER AWARENESS AND
10 PROMOTE PARTICIPATION IN A BATTERY STEWARDSHIP PROGRAM;

11 (IV) OFFERING TECHNICAL ASSISTANCE, INCLUDING REGULATORY
12 GUIDANCE, BEST PRACTICES FOR COLLECTION SITE OPERATIONS, AND
13 SUPPORT FOR RETAILERS AND PRODUCERS NAVIGATING COMPLIANCE
14 REQUIREMENTS;

15 (V) COLLABORATING WITH APPROVED BATTERY STEWARDSHIP
16 ORGANIZATIONS TO ADDRESS OPERATIONAL CHALLENGES, FACILITATE
17 COORDINATION BETWEEN PRODUCERS, RECYCLERS, AND LOCAL
18 GOVERNMENTS, AND ENSURE CONTINUOUS PROGRAM IMPROVEMENT; AND

19 (VI) ENFORCING THIS PART 10 PURSUANT TO SECTION 25-17-1015,
20 ENSURING FAIR ENFORCEMENT AMONG PARTICIPANTS, AND PROTECTING
21 THE INTEGRITY OF BATTERY STEWARDSHIP PROGRAMS.".

22 Page 35 of the bill, strike lines 1 through 9.".

23 Page 12 of the bill, line 20, strike "WEBSITE MADE AVAILABLE" and
24 substitute "LIST PROVIDED".

25 Page 12 of the bill, line 21, strike "LISTS," and substitute "INCLUDES,".

*** * * * *