

STATE OF UTAH

Fund Information

FINET Name: (FIN) Waste Tire Recycling Fund

FINET Fund: 2290

Legal Name: Waste Tire Recycling Fund

Legal Authorization: UCA 19-6-807

Earns Interest: Yes No **Earns Interest Authority:** N/A

Revenue Source(s):

1) Fee on retail tire sales -- Original law was \$1-2 depending on the size of the tire. The 1993 amendments changed fee to \$1 per tire sold up to size 24 1/2 inches. Due to the increasing fund balance, the 1996 Legislature reduced fee to \$.50 per tire up to size 24 1/2 inches. The 1999 Legislature (HB117) increased the fee to \$.85 after July 1, 1999. HB 115 (2001 GS) increased the fee to \$1; 2) penalties 3) loan proceeds

Description:

The 1990 General Session through SB 5 created the Waste Tire Recycling Expendable Trust Fund. A fee is imposed on the retail sale of tires to fund partial reimbursement of qualified recyclers. Finance to administer funds. Fee imposed UCA 7-1-90. The original law allowed recyclers \$21.00 per ton of tires recycled. The 1993 Legislature increase that to \$65.00 per ton and the 1995 Legislature increased it again to \$70.00 per ton as an incentive to recycle more tires. The 1999 Legislature (HB117) increased the recycling reimbursement to \$75 and provided a \$60 reimbursement for each ton of waste tires used for a beneficial use.

The 2000 Legislature passed HB47 which terminated the Waste Tire Recycling Industrial Assistance Fund (fund 515) and transfers the assets and liabilities to fund 713, Waste Tire Recycling Expendable Trust Fund (UCA 26-32a-114.5). Any outstanding loans will now be administered out of fund 713. The 2000 legislature (HB 215) also renumbered the UCA sections related to the trust fund. The new code sections are 19-6-801 thru 824.

HB 115 (2001 GS) Revised the waste tire recycling program. The recycle fee to consumers is now \$1. Reimbursements are only to tire recyclers who operate within the state. Per-ton reimbursements are as follows:

- 1) \$75 for tires converted to crumb rubber, if the crumb rubber is to be used as a component in an ultimate product
- 2) \$65 for tires recycled other than as crumb rubber
- 3) \$50 for chipped tires used for a beneficial use
- 4) 100% of transportation costs to remove tires from an abandoned or landfill tire pile if no tires have been added to the pile on or after July 1, 2001.
- 5) 60% of transportation costs to remove tires from an abandoned or landfill tire pile if tires have been added to the pile on or after July 1, 2001.

HB 264 (2002 GS) Changed this fund's classification from an expendable trust fund to a restricted special revenue fund. This change was a result of Finance's overall fund analysis for implementation of GASB Stmt 34.

HB 318 (2005 GS) Gives oversight of this fund to a newly created office called the Governor's Office of Economic Development with the Governor's Office.

HB 230 (2005 GS) Reimbursements are changed to the following:

- 1) \$90 as partial reimbursement for each ton of waste tires converted to crumb rubber;
- 2) \$75 as partial reimbursement for each ton of waste tires recycled other than crumb rubber; and
- 3) \$45 as partial reimbursement for each ton of chipped tires used for a beneficial use;
- 4) provides that the owner or operator of a landfill may receive reimbursement of \$30 per ton of tires placed in a landfill; and

HB 132 (2008 GS) Reduces the partial reimbursement paid to waste tire recyclers and landfill owners. Subject to limitations in Section 19-6-816, a recycler is entitled to: \$65 (from \$90) as a partial reimbursement for each ton of waste tires converted to crumb rubber; \$50 (from \$75) as partial reimbursement for each ton other than crumb rubber; and \$20 (from \$45) as partial reimbursement for each ton of chipped tires. Also, reduces the reimbursement owners or operators of a landfill will received: \$20 (from \$30) per ton of waste tired if disposed in compliance with UCA 19-6-812(1), and waste tires are generated from within the state.

HB 221 (2010 GS) Reauthorizes certain named state entities and programs scheduled to sunset. Changed the repeal date for Title 19, Chapter 6, Part 8 from July 1, 2010 to July 1, 2020.

This report presents unofficial, unaudited information that is subject to change.

For audited financial statements, see the State of Utah Comprehensive Annual Financial Report at <http://finance.utah.gov/cafr.html>

STATE OF UTAH Fund Information

HB 72 (2012 GS) Amends provisions of the Waste Tire Recycling Act. Deletes references to the Waste Tire Recycling Industrial Assistance Loan Program and the Waste Tire Recycling Industrial Assistance Loan Fund. Removes provisions from the code that allowed payment of costs incurred by the Division of Finance in accounting for and tracking outstanding loans made under the Waste Tire Recycling Industrial Assistance Loan Program.

HB 399 (2013 GS) Changes the terminology of each "restricted special revenue fund" to a new designation of "expendable special revenue fund." The bill also provides intent language that any reference to "restricted special revenue fund" in the code be replaced with "expendable special revenue fund." Thus, the three new restricted special revenue funds created during the 2013 session will be so designated. (# 2330, 2185, 2201) Classifies the following funds as "capital projects funds": Transportation Investment Fund of 2005; Centennial Highway Fund; and Critical Highway Needs Fund. Modifies the description of fund types to better comply with new Government Accounting Standards Board requirements. Provides that the Attorney General Litigation Fund is an expendable revenue fund

Fund Balance History:

| Fund | Year | Beg Balance | Revenues | Expenses | Transfers | End Balance |
|------|------|-------------|-------------|-------------|---------------|-------------|
| 2290 | 1991 | \$0 | \$1,258,927 | \$945 | \$0 | \$1,257,982 |
| 2290 | 1992 | \$1,257,982 | \$1,953,794 | \$59,946 | \$0 | \$3,151,830 |
| 2290 | 1993 | \$3,151,830 | \$2,111,549 | \$118,102 | \$0 | \$5,145,277 |
| 2290 | 1994 | \$5,145,277 | \$1,825,078 | \$687,509 | \$0 | \$6,282,846 |
| 2290 | 1995 | \$6,282,846 | \$2,160,746 | \$982,683 | (\$1,000,000) | \$6,460,909 |
| 2290 | 1996 | \$6,460,909 | \$2,045,039 | \$1,865,978 | (\$56,000) | \$6,583,970 |
| 2290 | 1997 | \$6,583,970 | \$1,198,539 | \$2,985,591 | (\$56,000) | \$4,740,918 |
| 2290 | 1998 | \$4,740,918 | \$1,103,012 | \$3,152,909 | (\$56,000) | \$2,635,021 |
| 2290 | 1999 | \$2,635,021 | \$1,201,199 | \$3,427,889 | (\$56,000) | \$352,331 |
| 2290 | 2000 | \$352,331 | \$1,794,101 | \$2,529,734 | \$1,141,132 | \$757,830 |
| 2290 | 2001 | \$757,830 | \$1,863,884 | \$2,306,450 | (\$91,000) | \$224,264 |
| 2290 | 2002 | \$224,264 | \$2,301,864 | \$1,840,751 | (\$88,981) | \$596,396 |
| 2290 | 2003 | \$596,396 | \$2,353,385 | \$2,237,769 | (\$99,900) | \$612,113 |
| 2290 | 2004 | \$612,113 | \$2,535,468 | \$2,240,491 | (\$95,225) | \$811,864 |
| 2290 | 2005 | \$811,864 | \$2,848,607 | \$2,447,384 | (\$103,269) | \$1,109,819 |
| 2290 | 2006 | \$1,109,819 | \$2,872,276 | \$2,928,550 | (\$111,600) | \$941,945 |
| 2290 | 2007 | \$941,945 | \$2,946,974 | \$3,303,171 | (\$118,900) | \$466,848 |
| 2290 | 2008 | \$466,848 | \$2,960,397 | \$3,291,791 | (\$125,000) | \$10,455 |
| 2290 | 2009 | \$10,455 | \$2,609,478 | \$2,034,218 | (\$129,800) | \$455,915 |
| 2290 | 2010 | \$455,915 | \$2,584,047 | \$2,131,130 | (\$129,200) | \$779,632 |
| 2290 | 2011 | \$779,632 | \$2,669,545 | \$2,857,809 | (\$128,991) | \$462,377 |
| 2290 | 2012 | \$462,377 | \$2,859,296 | \$2,266,065 | (\$129,050) | \$926,558 |
| 2290 | 2013 | \$926,558 | \$2,937,056 | \$2,086,193 | (\$127,882) | \$1,649,539 |
| 2290 | 2014 | \$1,649,539 | \$3,123,773 | \$2,048,081 | (\$108,792) | \$2,616,439 |