

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

April 25, 2025  
Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

SB25-163 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend the Health and Human Services Committee Report, dated  
2 February 26, 2025, page 1, after line 13 insert:

3 "Page 12 of the printed bill, line 2, strike "2026:" and substitute "2027:".

4 Page 14 of the bill, line 1, strike "2026," and substitute "2027,".

5 Page 2 of the report, strike line 4 and substitute "2028,".

6 Page 2 of the report, after line 9 insert:

7 "Page 27 of the bill, line 9, strike "OCTOBER 1, 2027." and substitute  
8 "MARCH 1, 2028.".

9 Page 2 of the report, strike lines 12 and 13 and substitute:

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

1 SUBMITS A PLAN AMENDMENT.  
2 (b) WITHIN TWELVE MONTHS AFTER A PLAN IS APPROVED, AND ON  
3 OR BEFORE EACH JULY 1 THEREAFTER, A BATTERY STEWARDSHIP  
4 ORGANIZATION SHALL PAY TO THE DEPARTMENT AN ANNUAL FEE TO  
5 COVER THE DEPARTMENT'S COST OF IMPLEMENTING, ADMINISTERING, AND  
6 ENFORCING THIS PART 10. THE STATE TREASURER SHALL CREDIT THE  
7 ANNUAL FEES TO THE FUND, AND THE DEPARTMENT SHALL USE THE FEES  
8 FOR COSTS ASSOCIATED WITH THE ADMINISTRATION OF THIS PART 10. THE  
9 AMOUNT OF THE FIRST ANNUAL FEE IS EIGHTY THOUSAND DOLLARS. FOR  
10 EACH ANNUAL FEE THEREAFTER, THE COMMISSION SHALL ESTABLISH THE  
11 FEE AMOUNT BY RULE."

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

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

17 (d) THE DEPARTMENT SHALL USE FUNDS COLLECTED PURSUANT TO  
18 THIS SECTION TO PROVIDE DIRECT SERVICES TO BATTERY STEWARDSHIP  
19 ORGANIZATIONS WITH AN APPROVED PLAN TO ENSURE EFFECTIVE  
20 PROGRAM OVERSIGHT, COMPLIANCE SUPPORT, AND PUBLIC ENGAGEMENT.  
21 SUCH SERVICES INCLUDE:

22 (I) REVIEWING, APPROVING, AND PROVIDING FEEDBACK ON  
23 BATTERY STEWARDSHIP PLANS AND PLAN AMENDMENTS TO ENSURE  
24 COMPLIANCE WITH STATE LAW AND TO HELP ORGANIZATIONS MEET  
25 PERFORMANCE GOALS EFFICIENTLY;

26 (II) CONDUCTING COMPLIANCE AUDITS, REVIEWING ANNUAL  
27 REPORTS SUBMITTED PURSUANT TO SECTION 25-17-1011 WITHIN NINETY  
28 DAYS AFTER SUBMISSION, AND OFFERING APPLICABLE TECHNICAL  
29 RECOMMENDATIONS TO IMPROVE PROGRAM EFFECTIVENESS AND  
30 TRANSPARENCY;

31 (III) PROVIDING, UPON REQUEST, A LIST OF APPROVED BATTERY  
32 STEWARDSHIP ORGANIZATIONS, PARTICIPATING PRODUCERS, AND  
33 COMPLIANT RETAILERS TO INCREASE CONSUMER AWARENESS AND  
34 PROMOTE PARTICIPATION IN A BATTERY STEWARDSHIP PROGRAM;

35 (IV) OFFERING TECHNICAL ASSISTANCE, INCLUDING REGULATORY  
36 GUIDANCE, BEST PRACTICES FOR COLLECTION SITE OPERATIONS, AND  
37 SUPPORT FOR RETAILERS AND PRODUCERS NAVIGATING COMPLIANCE  
38 REQUIREMENTS;

39 (V) COLLABORATING WITH APPROVED BATTERY STEWARDSHIP  
40 ORGANIZATIONS TO ADDRESS OPERATIONAL CHALLENGES, FACILITATE  
41 COORDINATION BETWEEN PRODUCERS, RECYCLERS, AND LOCAL

1 GOVERNMENTS, AND ENSURE CONTINUOUS PROGRAM IMPROVEMENT; AND  
2 (VI) ENFORCING THIS PART 10 PURSUANT TO SECTION 25-17-1015,  
3 ENSURING FAIR ENFORCEMENT AMONG PARTICIPANTS, AND PROTECTING  
4 THE INTEGRITY OF BATTERY STEWARDSHIP PROGRAMS."

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

6 Page 2 of the report, after line 23 insert:

7 "Page 36 of the bill, line 4, strike "2029," and substitute "2030,"."

8 Page 2 of the report, after line 26 insert:

9 "Page 36 of the bill, line 13, strike "2029:" and substitute "2030:"."

10 Page 3 of the report, after line 10 insert:

11 "Strike "2028," and substitute "2029," on: **Page 12**, line 13; **Page 16**, line  
12 17; **Page 23**, line 21; and **Page 29**, line 25.

13 Strike "2027," and substitute "2028," on: **Page 23**, line 9; **Page 33**, line  
14 27; and **Page 35**, line 13."

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

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

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