



# Fiscal Note

## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

### SB 26-062: RODENTICIDE USE RESTRICTIONS

**Prime Sponsors:**

Sen. Cutter; Kipp  
Rep. Velasco

**Fiscal Analyst:**

Brendan Fung, 303-866-4781  
brendan.fung@coleg.gov

**Published for:** Senate Ag. & Nat. Resources**Version:** Initial Fiscal Note**Drafting number:** LLS 26-0073**Date:** February 5, 2026

**Fiscal note status:** This fiscal note reflects the introduced bill.

---

### Summary Information

**Overview.** The bill prohibits the distribution, sale, and use of rodenticides

**Types of impacts.** The bill is projected to affect the following areas on an ongoing basis:

- State Revenue
- State Expenditures
- TABOR Refunds
- Local Government

**Appropriations.** For FY 2026-27, the bill requires an appropriation of \$244,629 to the Department of Agriculture and the Department of Personnel and Administration. See State Appropriations section.

---

**Table 1**  
**State Fiscal Impacts**

Type of Impact	Budget Year FY 2026-27	Out Year FY 2027-28
State Revenue	\$184,203	\$368,406
State Expenditures	\$289,429	\$364,442
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$184,203	\$368,406
Change in State FTE	2.1 FTE	3.1 FTE

Fund sources for these impacts are shown in the tables below.

**Table 1A**  
**State Revenue**

<b>Fund Source</b>	<b>Budget Year</b> <b>FY 2026-27</b>	<b>Out Year</b> <b>FY 2027-28</b>
General Fund	\$0	\$0
Cash Funds	\$184,203	\$368,406
<b>Total Revenue</b>	<b>\$184,203</b>	<b>\$368,406</b>

**Table 1B**  
**State Expenditures**

<b>Fund Source</b>	<b>Budget Year</b> <b>FY 2026-27</b>	<b>Out Year</b> <b>FY 2027-28</b>
General Fund	\$16,052	\$16,052
Cash Funds	\$228,577	\$282,896
Federal Funds	\$0	\$0
Centrally Appropriated	\$44,800	\$65,494
<b>Total Expenditures</b>	<b>\$289,429</b>	<b>\$364,442</b>
<b>Total FTE</b>	<b>2.1 FTE</b>	<b>3.1 FTE</b>

## **Summary of Legislation**

The bill establishes prohibitions and permitted uses for rodenticides, updates pest management requirements, and expands the conditions that constitute a deceptive trade practice.

### **Use Restrictions**

The bill prohibits an individual from selling or distributing certain rodenticides or rodent glue traps. The Department of Agriculture (CDA) must adopt and publish rules pertaining to this prohibition by January 1, 2027, after which licensed applicators may only use rodenticides for specific exempt and limited purposes. However, the bill permits the use of these products in response to a public health emergency, as determined by the Department of Public Health and Environment (CDPHE) or county board of public health. The CDA must also establish labeling requirements for rodenticides.

### **Pest Management**

Rodent control service professionals must use integrated pest management strategies prior to rodenticide application during a public health emergency, including the following steps:

- confirming the species of the pest;
- inspecting the site to identify rodent activity and conditions;
- deploying electronic rodent monitoring devices; and
- remediating contributing conditions and deploying control measures.

## **Deceptive Trade Practice**

The bill makes the sale, distribution, or restricted use of rodenticide products a deceptive trade practice.

## **Background and Assumptions**

---

### **Product Registrations**

The CDA enforces the Pesticide Act, which requires the registration of all pesticides before distribution within the state. Currently, about 15,800 pesticide products are registered annually in Colorado, at a fee rate of \$205 per product. Of this amount, 315 products are registered rodenticides and are subject to the bill's restricted uses during a public health emergency.

The fiscal note assumes that prohibitions placed on the sale, distribution, and use of rodenticide will result in an 80 percent reduction in rodenticide registrations in the state. If pesticide manufacturers choose to register fewer or more products than this estimate, then state fee revenue will adjust accordingly.

### **Alternative Mitigation Methods**

The bill prohibits the use of rodenticides under most conditions, which may require applicators to identify and use alternative methods of pest control. While the bill does not explicitly require ongoing pest management, the fiscal note assumes that the Department of Personnel and Administration (DPA) will mitigate pests through the use of carbon monoxide treatment on certain state building grounds and parks. If the DPA does not maintain these efforts, instances of public health emergencies may increase. Furthermore, the department may have to close parks to apply alternative products. If this occurs, it is assumed that any permits acquired for park use will be scheduled for days in which the park is open, and state revenue from permitting fees will not be impacted.

## **State Revenue**

---

The bill increases state cash fund revenue by approximately \$184,000 in FY 2026-27 and \$368,000 in FY 2027-28 and ongoing to the Plant Health, Pest Control, and Environmental Protection Fund in the CDA to cover the costs of administering programmatic changes. These impacts are shown in Table 2, and discussed in more detail below. It may also increase revenue from civil penalties and filing fees. Fee revenue is subject to TABOR, while penalty revenue is not.

**Table 2**  
**Fee Impact on Pesticide Product Registrants**

<b>Revenue Impact</b>	<b>FY 2026-27 Fee Impact</b>	<b>FY 2027-28 Fee Impact</b>
Revenue Under Current Law	\$1,620,525	\$3,241,050
Revenue Under the Bill	\$1,804,728	\$3,609,456
<b>Total Change in Fee Revenue</b>	<b>\$184,203</b>	<b>\$368,406</b>

**Fee Impact on Pesticide Product Registrants**

Colorado law requires legislative service agency review of measures which create or increase any fee collected by a state agency. The bill increases cash fund revenue from pesticide product registrations by about \$368,000 per year, after accounting for fewer rodenticide product registrations and increased fees on all other pesticide products. As shown in Tables 2A and 2B, the fiscal note estimates 252 fewer rodenticide products registered annually, an 80 percent decrease from 315 current registered products, and a \$27 increased registration fee for the remaining pesticide products.

Fee revenue in FY 2026-27 is expected to be half of the projected annual estimates to account for programmatic changes that begin on January 1, 2027. These proposed fees are estimates only; actual fees will be set administratively by CDA based on cash fund balance, estimated program costs, and the number of registrants subject to the fee.

**Table 2A**  
**Fee Impact on Pesticide Product Registrants**  
**Current Fee and Products**

<b>Type of Product</b>	<b>Current Fee</b>	<b>Products Affected</b>	<b>Total Current Fee</b>
Rodenticides	\$205	315	\$64,575
All Other Pesticides	\$205	15,495	\$3,176,475
<b>Total Fee Revenue</b>	<b>\$3,241,050</b>		

**Table 2B**  
**Fee Impact on Pesticide Product Registrants**  
**Estimated Fee and Payers Under the Bill**

<b>Type of Product</b>	<b>Estimated Fee Increase</b>	<b>Products Affected</b>	<b>Total Fee Increase</b>
Rodenticides	\$232	63	\$14,616
All Other Pesticides	\$232	15,495	\$3,594,840
<b>Total Fee Revenue</b>	<b>\$3,609,456</b>		

## Civil Penalties

Under the Colorado Consumer Protection Act, a person committing a deceptive trade practice may be subject to a civil penalty of up to \$20,000 for each violation. Additional penalties may be imposed for subsequent violations of a court order or injunction. This revenue is classified as a damage award and not subject to TABOR. Given the uncertainty about the number of cases that may be pursued by the Attorney General and district attorneys, as well as the wide range in potential penalty amounts, the fiscal note cannot estimate the potential impact of these civil penalties.

## Filing Fees

The bill may increase revenue to the Judicial Department from an increase in civil case filings. Revenue from filing fees is subject to TABOR.

## State Expenditures

---

The bill increases state expenditures by about \$289,000 in FY 2026-27 and \$364,000 beginning in FY 2027-28. These costs will be incurred in the CDA and the DPA, as shown in Table 3 and described in the sections below. Costs are paid from the Plant Health, Pest Control, and Environmental Protection Fund and the General Fund.

**Table 3**  
**State Expenditures**  
**All Departments**

<b>Department</b>	<b>Budget Year</b> <b>FY 2026-27</b>	<b>Out Year</b> <b>FY 2027-28</b>
Department of Agriculture	\$273,377	\$348,390
Department of Personnel and Administration	\$16,052	\$16,052
<b>Total Costs</b>	<b>\$289,429</b>	<b>\$364,442</b>

## Department of Agriculture

The bill increases state expenditures in the CDA by about \$273,000 in FY 2026-27 and \$348,000 beginning in FY 2027-28. These costs, paid from the Plant Health, Pest Control, and Environmental Protection Fund, are summarized in Table 3A and discussed below.

**Table 3A**  
**State Expenditures**  
**Department of Agriculture**

<b>Cost Component</b>	<b>Budget Year FY 2026-27</b>	<b>Out Year FY 2027-28</b>
Personal Services	\$169,867	\$236,451
Operating Expenses	\$2,560	\$3,840
Capital Outlay Costs	\$21,000	\$0
Motor Fleet Vehicle Costs	\$12,873	\$25,747
Travel Expenses	\$1,506	\$3,011
Legal Services	\$20,771	\$13,847
Centrally Appropriated Costs	\$44,800	\$65,494
FTE – Personal Services	2.0 FTE	3.0 FTE
FTE – Legal Services	0.1 FTE	0.1 FTE
<b>Total Costs</b>	<b>\$273,377</b>	<b>\$348,390</b>
<b>Total FTE</b>	<b>2.1 FTE</b>	<b>3.1 FTE</b>

## Staff

Starting in FY 2026-27, the CDA requires 3.0 FTE to conduct rulemaking, manage increased complaints, investigate prohibited uses, produce education materials, perform audits, enforce restrictions, and monitor rodenticide use during a public health emergency. This assumes that the department will receive at least 100 complaints and conduct at least 30 formal investigations. Staff costs and FTE are prorated in the first year based on a July 1, 2026, start date for 1.0 FTE Administrator V and a January 1, 2027, start date for 2.0 FTE Compliance Specialist III.

## Motor Fleet Vehicle Costs

Beginning in FY 2026-27, the CDA requires a vehicle for enforcement staff to investigate complaints, surveil the market for adherence, and monitor exempted uses. The department will make vehicle lease and operating cost payments to the DPA, which manages the state's fleet of vehicles. Costs also include mileage and are prorated in the first year to a January 1, 2027, start date.

## Travel Expenses

Costs in the CDA will increase by about \$3,000 for each enforcement staff to travel across the state and ensure compliance with the bill's requirements. Costs include a \$79 per diem rate for 28 days of travel, and a \$200 lodging rate for four nights. Costs in the first year are prorated to a half-year impact.

## Legal Services

In FY 2026-27, the CDA requires 150 hours of legal services for initial rulemaking and program implementation. In future years, the department requires 100 hours of legal services to support enforcement and investigative efforts. Legal services are provided by the Department of Law at a rate of \$138.47 per hour.

## Centrally Appropriated Costs

Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which may include employee insurance, supplemental employee retirement payments, indirect cost assessments, and other costs, are shown in the table above.

## Department of Personnel

The bill increases state expenditures in the DPA by about \$16,000 beginning in FY 2026-27. These costs, paid from the General Fund, are discussed below.

## Capitol Complex Facilities Management

Beginning in FY 2026-27, the DPA requires about \$16,000 per year to use an alternative method of pest control. Rodenticide use currently costs the department about \$29,000 between state building maintenance and park maintenance. Switching to carbon monoxide spray is estimated to cost about \$45,000 per year. Costs are assumed to begin July 1, 2026.

## Office of Administrative Courts

The bill may minimally increase workload for the Office of Administrative Courts in the DPA to hear additional disputes between the CDA and licensed pesticide applicators. This workload is can be accomplished within existing appropriations.

## Other State Agencies

Workload in the CDPHE will minimally increase to coordinate with the CDA and local public health agencies when a public health emergency is declared. Additionally, costs may increase for other state agencies that contract for professional services outside the DPA, such as the Department of Corrections, to use more expensive pest control methods.

Similar to the State Revenue section above, the trial courts in the Judicial Department may experience an increase in workload if additional civil cases are filed. The fiscal note assumes that pesticide applicators and sellers will comply with the law and any increase will be minimal

## **TABOR Refunds**

---

The bill is expected to increase the amount of state revenue required to be refunded to taxpayers by \$184,203 in FY 2026-27 and \$368,406 in FY 2027-28. This estimate assumes the December 2025 LCS revenue forecast. A forecast of state revenue subject to TABOR is not available beyond FY 2027-28. Because TABOR refunds are paid from the General Fund, increased cash fund revenue will reduce the amount of General Fund available to spend or save in FY 2026-27, FY 2027-28, and any future years when the state is over its revenue limit.

## **Local Government**

---

Costs may increase for local governments to use alternative pest control methods on owned or operated grounds, collaborate with the CDPHE and the CDA during a public health emergency, and implement the requirements of the bill.

## **Effective Date**

---

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

## **State Appropriations**

---

For FY 2026-27, the bill requires an appropriation of \$228,577 from the Plant Health, Pest Control, and Environmental Protection Fund to the Department of Agriculture, and 2.0 FTE. Of this amount, \$20,771 is reappropriated to the Department of Law with an additional 0.1 FTE.

The bill also requires a General Fund appropriation of \$16,052 to the Department of Personnel and Administration.

## **State and Local Government Contacts**

---

Agriculture  
Corrections  
Counties  
Judicial

Law  
Municipalities  
Personnel and Administration  
Public Health and Environment