



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

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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**

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

**Table 1B
State Expenditures**

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

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**

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

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**

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

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

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

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**

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

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**

Cost Component	Budget Year FY 2026-27	Out Year FY 2027-28
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
Total Costs	\$273,377	\$348,390
Total FTE	2.1 FTE	3.1 FTE

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

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).