

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0563.01 Thomas Morris x4218

SENATE BILL 16-015

SENATE SPONSORSHIP

Baumgardner,

HOUSE SPONSORSHIP

Vigil,

Senate Committees

Agriculture, Natural Resources, & Energy

House Committees

A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT A GOVERNOR-DESIGNATED STATE
102 AGENCY CLARIFY WHICH PESTICIDES MAY BE USED IN THE
103 MARIJUANA INDUSTRY.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)

Current law requires the governor to designate one or more state agencies to compile a list of pesticides that cannot be used in the cultivation or processing of marijuana. The bill replaces these provisions with a directive that the governor designate a state agency to promulgate rules to designate criteria that identify pesticides that may be used in the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

cultivation of marijuana. The agency will list the pesticides that meet the criteria on its website.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 24-20-112, **amend**
3 (1) as follows:

4 **24-20-112. Implementation of section 16 of article XVIII of the**
5 **Colorado constitution - criteria for pesticide use - education oversight**
6 **and materials.** (1) The governor shall designate a state agency to ~~create~~
7 ~~a list of substances~~ PROMULGATE RULES TO DESIGNATE CRITERIA THAT
8 IDENTIFY PESTICIDES that may ~~not~~ be used in the cultivation ~~or processing~~
9 of marijuana as authorized pursuant to article 43.4 of title 12, C.R.S. The
10 designated agency may consult with other state agencies in ~~compiling the~~
11 ~~list. The state agency shall promulgate rules for the list of substances that~~
12 ~~may not be used in the cultivation of marijuana~~ PROMULGATING THE
13 RULES. THE AGENCY SHALL PUBLISH A LIST OF PESTICIDES THAT MEET THE
14 CRITERIA ON ITS WEBSITE.

15 **SECTION 2. Act subject to petition - effective date -**
16 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
17 the expiration of the ninety-day period after final adjournment of the
18 general assembly (August 10, 2016, if adjournment sine die is on May 11,
19 2016); except that, if a referendum petition is filed pursuant to section 1
20 (3) of article V of the state constitution against this act or an item, section,
21 or part of this act within such period, then the act, item, section, or part
22 will not take effect unless approved by the people at the general election
23 to be held in November 2016 and, in such case, will take effect on the
24 date of the official declaration of the vote thereon by the governor.

- 1 (2) This act applies to conduct occurring on or after the applicable
- 2 effective date of this act.