



**Colorado  
Legislative  
Council  
Staff**

**SB16-015**

**FISCAL NOTE**

**FISCAL IMPACT:**  State  Local  Statutory Public Entity  Conditional  No Fiscal Impact

**Drafting Number:** LLS 16-0563  
**Prime Sponsor(s):** Sen. Baumgardner  
 Rep. Vigil

**Date:** January 19, 2016  
**Bill Status:** Senate Agriculture  
**Fiscal Analyst:** Clare Pramuk (303-866-2677)

**BILL TOPIC:** RULES FOR ALLOWED MARIJUANA PESTICIDES

Fiscal Impact Summary	FY 2016-2017	FY 2017-2018
State Revenue		
State Expenditures	Minimal workload increase.	
FTE Position Change		
Appropriation Required: None.		
Future Year Impacts: None.		

**Summary of Legislation**

Under current law, the Governor is required to designate a state agency to create a list of pesticides that may not be used in the cultivation or processing of retail marijuana. This bill requires the designated agency to promulgate rules to designate criteria that identify pesticides that may be used in the cultivation of retail marijuana. The designated agency is required to publish a list of pesticides that meet the criteria on its website.

**Background**

Executive Order D2013-007 designated the Department of Agriculture to address pesticides for marijuana. The department has been identifying pesticides that may be used in the cultivation of all types of marijuana rather than identifying those pesticides that should not be used.

**State Expenditures**

Assuming that the Department of Agriculture continues to be the designated agency, this bill will increase the department's workload to promulgate rules in FY 2016-17. Because the department has already developed the criteria and has a list of acceptable pesticides available on its website, the rulemaking is not expected to require significant resources and can be addressed within existing appropriations. Should assistance with rulemaking from the Marijuana Enforcement

Division in the Department of Revenue be required, the MED can provide that support within existing appropriations. The fiscal note assumes that the Governor's Office will have an increase in workload to issue a new executive order that acknowledges the change in focus.

**Effective Date**

The bill takes effect August 10, 2016, if the General Assembly adjourns on May 11, 2016, as scheduled, and no referendum petition is filed.

**State and Local Government Contacts**

Agriculture  
Law  
Public Health and Environment

Governor's Marijuana Office  
Office of Information Technology  
Revenue

**Research Note Available**

An LCS Research Note for SB16-015 is available online and through the iLegislate app. Research notes provide additional policy and background information about the bill and summarize action taken by the General Assembly concerning the bill.