



**Colorado
Legislative
Council
Staff**

HB17-1224

**FINAL
FISCAL NOTE**

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

Drafting Number: LLS 17-0996
Prime Sponsor(s): Rep. Kraft-Tharp
Sen. Gardner

Date: August 7, 2017
Bill Status: Signed into Law
Fiscal Analyst: Clare Pramuk (303-866-2677)

BILL TOPIC: MISBRANDED ADULTERATED COUNTERFEIT DRUGS PENALTY

Fiscal Impact Summary	FY 2017-2018	FY 2018-2019
State Revenue	<u><\$5,000</u>	<u><\$5,000</u>
General Fund	<5,000	<5,000
State Expenditures	Minimal workload increase. See State Expenditures section.	
Appropriation Required: None.		
Future Year Impacts: Ongoing revenue and workload increase.		

Summary of Legislation

This bill amends the pharmacy practice law to make unlawful the possession, sale, dispensing, giving, receiving, or administering of a drug or device that is adulterated or misbranded as defined by the Colorado Food and Drug Act. The bill creates a new civil penalty of \$1,000 to \$10,000 for any unlawful act under the pharmacy practice law, including the violations created by this bill. Revenue from this penalty is deposited into the General Fund.

State Revenue

This bill will increase state General Fund revenue from fines by less than \$5,000 annually from civil penalties beginning in FY 2017-18. The fiscal note assumes a high rate of compliance, and given that the penalty is discretionary, a minimal amount of fine revenue is expected.

State Expenditures

This bill is expected to increase workload in Department of Regulatory Agencies beginning in FY 2017-18. The Division of Professions and Occupations receives approximately 60 complaints per year related to the dispensing and repackaging of drugs and devices. By expanding the authority of the division to investigate and take enforcement action on adulterated or misbranded drugs and devices, workload will increase by a minimal amount. This increase can be accomplished within existing appropriations.

Effective Date

The bill was signed into law by the Governor on June 5, 2017, and takes effect August 9, 2017, assuming no referendum petition is filed.

State and Local Government Contacts

Law Regulatory Agencies