SENATE COMMITTEE OF REFERENCE REPORT

February 13, 2020

Chair of Committee Date

Committee on Agriculture & Natural Resources.

After consideration on the merits, the Committee recommends the following:

SB20-101 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

1 Amend printed bill, page 2, line 4, strike "WITHIN" and substitute "EXCEPT AS PROVIDED IN SUBSECTION (4)(c) OF THIS SECTION, WITHIN".

2 Page 2, lines 5 and 6, strike "RECEIVES A COMPLAINT AGAINST A PERSON" and substitute "IDENTIFIES A PERSON WHO IS THE SUBJECT OF A COMPLAINT AND".

3 Page 2, strike lines 8 through 12 and substitute "OF THE COMPLAINT. THE NOTICE MUST INCLUDE THE TEXT OF THE COMPLAINT.".

4 Page 3, after line 6 insert:

"(c) THIS SUBSECTION (4) DOES NOT APPLY TO COMPLAINTS CONCERNING THE COMMERCIAL APPLICATION OF PESTICIDES ON A MARIJUANA CROP."

5 Page 3, strike lines 11 through 14 and substitute:

"(6) NOTWITHSTANDING ARTICLE 80 OF TITLE 13, TO BRING PROCEEDINGS TO IMPOSE DISCIPLINE, THE SUBJECT OF A COMPLAINT MUST BE GIVEN THE NOTICE REQUIRED IN SECTION 24-4-104 (3) WITHIN ONE YEAR AFTER A COMPLAINT IS RECEIVED OR INITIATED. THIS SUBSECTION (6) DOES NOT APPLY TO COMPLAINTS CONCERNING THE COMMERCIAL APPLICATION OF PESTICIDES ON A MARIJUANA CROP.".
"(6) Notwithstanding article 80 of title 13, to bring proceedings to impose civil penalties, the subject of a complaint must be given the notice required in section 24-4-104 (3) within one year after a complaint is received or initiated. This subsection (6) does not apply to proceedings based on a violation of section 35-10-117 (1)(a), (1)(b), or (1)(c) or based on complaints concerning the commercial application of pesticides on a marijuana crop."

Page 4, strike lines 2 through 5 and substitute "Section must be commenced within one year after a complaint is received or initiated. This subsection (4) does not apply to a prosecution based on a violation of section 35-10-117 (1)(a), (1)(b), or (1)(c) or based on complaints concerning the commercial application of pesticides on a marijuana crop."

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