

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0073.01 Jennifer Berman x3286

SENATE BILL 26-062

SENATE SPONSORSHIP

Cutter and Kipp,

HOUSE SPONSORSHIP

Velasco,

Senate Committees

Agriculture & Natural Resources
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING DESIGNATING SECOND-GENERATION ANTICOAGULANT**
102 **RODENTICIDES AS RESTRICTED-USE PESTICIDES FOR THE**
103 **PURPOSE OF RETAIL SALES IN THE STATE.**

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://leg.colorado.gov>.)

The bill prohibits a person from selling, distributing, applying, or using certain types of rodenticide and rodent glue traps in the state except as authorized for restricted and limited use in a public health emergency and in accordance with certain use requirements and time periods.

A person conducting professional rodent control services in the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

state is required to prioritize integrated pest management strategies, which involve implementing a combination of nonchemical rodent control measures.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) The use of second-generation anticoagulant rodenticides,
5 referred to as "SGARs", should be restricted to licensed applicators to
6 safeguard public health, nontarget wildlife and domestic animals, and the
7 environment;

8 (b) Despite prior proposals and actions by the United States
9 environmental protection agency, SGARs remain widely accessible to the
10 general public;

11 (c) Statistics from America's Poison Centers indicate that children
12 5 years old and younger account for 75% of the approximately 3,100
13 annual human exposures to SGARs reported from 2019 to 2023;

14 (d) Preventive, permanent, or nonstructure-associated baiting with
15 SGARs prolongs the environmental presence of toxic chemicals and
16 increases the likelihood of primary and secondary exposure to companion
17 animals and wildlife, including birds of prey and mammalian carnivores;

18 (e) Integrated pest management strategies, which emphasize
19 exclusion, proper sanitation, and targeted removal, minimize harm and
20 constitute a humane, science-driven, and effective approach to rodent
21 control;

22 (f) In conjunction with using integrated pest management
23 strategies, limiting the use of SGARs to circumstances that involve
24 documented and persistent rodent activity, as verified by means such as

1 electronic rodent monitoring and as only a "last resort" could reduce
2 unnecessary exposure risks and cascading household, property, and
3 environmental impacts; and

4 (g) The department of agriculture's broad rule-making authority
5 includes the authority to adopt rules consistent with state and federal law
6 to further reduce the unintended exposure to SGARs, including the
7 adoption of rules that reflect the risk-reduction principles described in this
8 section.

9 (2) The general assembly therefore declares that restricting the use
10 of SGARs, while promoting integrated pest management strategies and
11 encouraging the targeted, structure-associated use of SGARs, will protect
12 Colorado's wildlife, children, and pets; will safeguard human health; and
13 will support humane, science-driven, and effective rodent control.

14 **SECTION 2.** In Colorado Revised Statutes, 35-9-103, **add** (13)
15 as follows:

16 **35-9-103. Definitions.**

17 As used in this article 9, unless the context otherwise requires:

18 (13) "SECOND-GENERATION ANTICOAGULANT RODENTICIDE"
19 MEANS A PESTICIDE CONTAINING ANY OF THE FOLLOWING ACTIVE
20 INGREDIENTS:

21 (a) BRODIFACOUM;

22 (b) BROMADIOLONE;

23 (c) DIFENACOUM; OR

24 (d) DIFETHIALONE.

25 **SECTION 3.** In Colorado Revised Statutes, **add** 35-9-118.5 as
26 follows:

27 **35-9-118.5. Second-generation anticoagulant rodenticides**

1 **designated as restricted-use pesticides.**

2 ON AND AFTER JULY 1, 2027, SECOND-GENERATION
3 ANTICOAGULANT RODENTICIDES ARE DESIGNATED AS RESTRICTED-USE
4 PESTICIDES AND THE COMMISSIONER SHALL RESTRICT THE DISTRIBUTION
5 AND USE OF THE PESTICIDES PURSUANT TO SECTION 35-9-108 (5).

6 **SECTION 4.** In Colorado Revised Statutes, 35-9-120, **amend**
7 **(1)(j.5) and (1)(k); and add (1)(l) as follows:**

8 **35-9-120. Prohibited acts - deceptive trade practice.**

9 (1) It is unlawful and a violation of this ~~article~~ ARTICLE 9 for any
10 person:

11 (j.5) To make a false statement in any invoice, record, report, or
12 application required under this ~~article~~ ARTICLE 9 or any rule ~~promulgated~~
13 ADOPTED under this ~~article~~; or ARTICLE 9;

14 (k) To make any fraudulent statements in any confidentiality
15 agreement authorized pursuant to section 35-9-109 or to violate any of the
16 provisions of ~~said~~ THE agreement; OR

17 (l) TO DISTRIBUTE OR USE SECOND-GENERATION ANTICOAGULANT
18 RODENTICIDES IN VIOLATION OF SECTION 35-9-118.5.

19 **SECTION 5. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly (August
22 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
23 referendum petition is filed pursuant to section 1 (3) of article V of the
24 state constitution against this act or an item, section, or part of this act
25 within such period, then the act, item, section, or part will not take effect
26 unless approved by the people at the general election to be held in

- 1 November 2026 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.