

NOTE: The governor signed this measure on 3/9/2016.

An Act

SENATE BILL 16-015

BY SENATOR(S) Baumgardner, Aguilar, Crowder, Garcia, Guzman, Heath, Johnston, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Newell, Roberts, Scott, Sonnenberg, Steadman, Todd, Woods;
also REPRESENTATIVE(S) Vigil, Arndt, Becker K., Brown, Duran, Esgar, Fields, Ginal, Mitsch Bush, Pabon, Rosenthal, Tyler, Williams.

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

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

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

24-20-112. Implementation of section 16 of article XVIII of the Colorado constitution - criteria for pesticide use - education oversight and materials. (1) The governor shall designate a state agency to ~~create a list of substances~~ **PROMULGATE RULES TO DESIGNATE CRITERIA THAT IDENTIFY PESTICIDES that may not be used in the cultivation or processing of marijuana as authorized pursuant to article 43.4 of title 12, C.R.S. The designated agency may consult with other state agencies in compiling the list. The state agency shall promulgate rules for the list of substances that**

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

~~may not be used in the cultivation of marijuana~~ PROMULGATING THE RULES.
THE AGENCY SHALL PUBLISH A LIST OF PESTICIDES THAT MEET THE CRITERIA
ON ITS WEBSITE.

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

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

Bill L. Cadman
PRESIDENT OF
THE SENATE

Dickey Lee Hullinghorst
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Effie Ameen
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO