BILL TOPIC: RULES FOR ALLOWED MARIJUANA PESTICIDES

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 was signed into law by the Governor on April 9, 2016, and takes effect August 10, 2016, assuming 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.

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit: www.colorado.gov/fiscalnotes.