



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated February 9, 2024)

Table with 2 columns: Field (Drafting Number, Prime Sponsors, Date, Bill Status, Fiscal Analyst) and Value (LLS 24-0217, Rep. Kipp; Froelich, Sen. Cutter; Jaquez Lewis, February 22, 2024, House Appropriations, Alexa Kelly | 303-866-3469, alexa.kelly@coleg.gov)

Bill Topic: LOCAL GOVERNMENT AUTHORITY TO REGULATE PESTICIDES

Table with 2 columns: Field (Summary of Fiscal Impact) and Value (checkboxes for State Revenue, State Expenditure, State Transfer, TABOR Refund, Local Government, Statutory Public Entity)

The bill gives local governments authority to regulate the sale and use of pesticides. It increases state workload and may increase local government expenditures on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This revised fiscal note reflects the introduced bill, as amended by the House Energy and Environment Committee.

Summary of Legislation

The bill allows a county or a municipality to create and enforce an ordinance, resolution, regulation, or other law regulating the sale or use of pesticides. A local government may not enforce any regulation that limits pesticide use:

- for the production of agricultural products;
• for dry-up, revegetation, or noxious weed management of land in a water conservation program or land where irrigation water is being limited;
• by a public utility to protect infrastructure;
• for the operation of a water supply collection or distribution facility;
• for the cultivation of marijuana; or
• for property managed by Colorado Parks and Wildlife.

The bill also disallows a county or municipality from enforcing any ordinance regulating the sale or use of pesticides that is:

- not guided by peer-reviewed science;
• used by a commercial applicator working to assist in compliance with federal law;
• inconsistent with the Colorado Noxious Weed Act; or
• related to the labeling or registration requirements for pesticides.

State Expenditures

Beginning in FY 2024-25, the bill minimally increases workload on an ongoing basis in the Department of Agriculture to provide technical support and collect any ordinances created by a local government. This workload is expected to be absorbable and no change in appropriations is required.

Local Government

The bill minimally increases workload and expenditures for local governments that choose to create, implement, and enforce a regulation for the use and application of pesticides.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Agriculture
Municipalities

Counties
Natural Resources

Local Affairs
Regulatory Agencies

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 the [General Assembly website](#).