



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number:	LLS 24-0916	Date:	February 9, 2024
Prime Sponsors:	Sen. Simpson; Gonzales Rep. Martinez; Holtorf	Bill Status:	Senate Ag. & Natural Resources
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Bill Topic: **PLANTING OF UNCERTIFIED POTATOES**

Summary of Fiscal Impact:	<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Local Government
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> TABOR Refund	<input type="checkbox"/> Statutory Public Entity

The bill requires uncertified potato seed stock be tested and approved prior to planting. It increases state workload and potentially state revenue on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

The bill amends the Colorado Potato Seed Act to require potato growers to submit any uncertified potato seed stock to the certifying authority, the Department of Agriculture (CDA), for testing prior to planting. The CDA must then approve the uncertified potato seed stock if it meets standards established by the Commissioner of Agriculture. A potato grower may plant any progeny from the uncertified potato seed in subsequent years if the potato seed is annually submitted, tested, and approved for planting.

State Revenue

Violations of the Colorado Seed Potato Act are subject to fines collected by the CDA when civil penalties are issued. This may increase revenue to the department, but any revenue increase is expected to be minimal. This revenue is subject to TABOR.

State Expenditures

The bill minimally increases workload in the CDA, in conjunction with Colorado State University, to test uncertified potato seeds. Workload may also increase to address any violations of the act. This increase is absorbable within existing appropriations.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Agriculture

Personnel

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](#).