



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number: LLS 23-0087
Prime Sponsors:

Date: September 19, 2022
Bill Status: Bill Request
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Bill Topic: **PLANT SWAPS EXEMPTIONS FOR NONPROFITS**

Summary of Fiscal Impact: **No fiscal impact.** The bill clarifies the exemption of non-profit organizations from the regulation of plant and seed distribution under the Colorado Nursery Act and the Colorado Seed Act. The bill does not affect the revenue or expenditures of any state agency or local government and is assessed as having no fiscal impact.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the bill draft requested by the Water Resources and Agriculture Review Committee.

Summary of Legislation

The Colorado Nursery Act and the Colorado Seed Act regulate the commercial sale of plants and seeds to ensure minimum quality standards. Under current law, non-commercial activity, such as a plant or seed swap, is permitted by both acts. This bill further clarifies that the non-commercial activities of nonprofit organizations and individuals working on behalf of nonprofits are exempt from regulations addressing the distribution of plants and seeds.

Assessment of No Fiscal Impact

The bill clarifies that nonprofits and others engaged in non-commercial plant or seed swaps are not subject to registration fees, permits, or licensing by the Department of Agriculture. The bill does not change the workload, expenditures, or revenue of any state or local government. For these reasons, the bill is assessed as having no fiscal impact.

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