

CHAPTER 108

AGRICULTURE

HOUSE BILL 02-1215

BY REPRESENTATIVE(S) Coleman, Scott, Vigil, Williams T., Hoppe, and Ragsdale;
also SENATOR(S) Taylor, Anderson, Takis, Tupa, and Isgar.

AN ACT

CONCERNING RISK-BASED INSPECTIONS OF NURSERY STOCK AREAS BY THE DEPARTMENT OF AGRICULTURE.

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

SECTION 1. 35-26-103 (1) (a), Colorado Revised Statutes, is amended to read:

35-26-103. Inspections. (1) (a) Except as otherwise provided in this section, premises in this state on which nursery stock is kept for sale or offered for sale ~~shall be inspected at least once each year by the commissioner or the commissioner's authorized agents,~~ and all areas in this state ~~which~~ THAT are sources of collected nursery stock may be inspected by the commissioner or the commissioner's authorized agents USING A RISK-BASED APPROACH. IF ANY PERSON REQUESTS AN INSPECTION OF CROPS, PLANT MATERIAL, OR OTHER ARTICLES OR PREMISES FOR PESTS, THE COMMISSIONER SHALL PROVIDE SUCH INSPECTION AND ISSUE A CERTIFICATE SETTING FORTH THE FACTS OF SAID INSPECTION. Inspections may also be made by the commissioner or the commissioner's authorized agents at any time deemed appropriate by the commissioner based on information known to the commissioner or based on any complaint received by the commissioner alleging failure to comply with any provision of this article or any rule promulgated pursuant to this article.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 18, 2002

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