

## CHAPTER 232

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**AGRICULTURE**

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## SENATE BILL 07-206

BY SENATOR(S) Schwartz, and Fitz-Gerald;  
also REPRESENTATIVE(S) Rose, Curry, Gallegos, Hicks, Lambert, Romanoff, Todd, and White.

**AN ACT**

**CONCERNING THE BIOLOGICAL PEST CONTROL CASH FUND, AND MAKING AN APPROPRIATION THEREFOR.**

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

**SECTION 1.** Article 1 of title 35, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**35-1-106.8. Biological pest control cash fund - creation.** (1) ALL REVENUES COLLECTED IN PURSUIT OF THE DEPARTMENT'S EFFORTS TO CONDUCT ITS PROGRAM OF BIOLOGICAL PEST CONTROL SHALL BE TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE BIOLOGICAL PEST CONTROL CASH FUND, WHICH FUND IS HEREBY CREATED IN THE STATE TREASURY. ALL MONEYS CREDITED TO THE CASH FUND AND ALL INTEREST EARNED ON THE INVESTMENT OF MONEYS IN THE CASH FUND SHALL BE A PART OF THE CASH FUND AND SHALL NOT BE TRANSFERRED OR CREDITED TO THE GENERAL FUND OR TO ANY OTHER FUND EXCEPT AS DIRECTED BY THE GENERAL ASSEMBLY ACTING BY BILL. THE CASH FUND IS CREATED TO SUPPLEMENT ANY GENERAL FUND APPROPRIATION. IN ADDITION TO ANY APPROPRIATION FROM THE GENERAL FUND, THE GENERAL ASSEMBLY SHALL MAKE ANNUAL APPROPRIATIONS FROM THE CASH FUND TO THE DEPARTMENT TO CARRY OUT THE BIOLOGICAL CONTROL OF AGRICULTURAL AND ENVIRONMENTAL PESTS.

(2) THE COMMISSION MAY ESTABLISH A FEE SCHEDULE TO COVER THE DIRECT AND INDIRECT COSTS OF THE COLLECTION AND DISTRIBUTION OF BENEFICIAL INSECTS.

**SECTION 2. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the biological pest control cash fund created in section 35-1-106.8 (1), Colorado Revised Statutes, not otherwise

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

appropriated, to the department of agriculture, for allocation to the agricultural services division, for the fiscal year beginning July 1, 2007, the sum of twenty-three thousand eleven dollars (\$23,011), or so much thereof as may be necessary, for the implementation of this act.

**SECTION 3. 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: May 17, 2007