

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Transportation & Energy.

1 HB23-1161 be amended as follows:

2 Amend reengrossed bill, page 48, after line 23 insert:

3 "SECTION 15. In Colorado Revised Statutes, 35-10-112.5,
4 **amend** (1)(b), (1)(e), and (3)(a) introductory portion; and **add** (3)(a)(V),
5 (3)(a)(VI), and (3)(a.5) as follows:

6 **35-10-112.5. Statewide uniformity of pesticide control and**
7 **regulation - exceptions.** (1) The general assembly hereby determines
8 that:

9 (b) A system of pesticide regulation that is ~~consistent and~~
10 coordinated, that creates statewide uniform standards, and that conforms
11 with both state and federal technical standards and requirements is
12 essential to the public health, safety, and welfare; ~~and finds that local~~
13 ~~regulation of pesticides that is inconsistent with and adopts different~~
14 ~~standards from federal and state requirements does not assist in achieving~~
15 ~~these benefits;~~

16 (e) Pesticide regulation is a matter of statewide AND LOCAL
17 concern.

18 (3) (a) Nothing in this ~~article~~ ARTICLE 10 may be construed to
19 limit the authority of a local government as defined by state law to:

20 (V) REGULATE THE APPLICATION OF PESTICIDES ON PROPERTIES
21 LOCATED WITHIN THE BOUNDARIES OF THE LOCAL GOVERNMENT, EXCEPT
22 THAT A LOCAL GOVERNMENT SHALL NOT:

23 (A) ADOPT REGULATIONS LIMITING THE APPLICATION OF
24 PESTICIDES TO PREVENT OR OTHERWISE CONTROL INVASIVE SPECIES OR
25 NOXIOUS WEEDS, OR TO PROTECT SENSITIVE WILDLIFE, INCLUDING
26 APPLICATIONS THAT MAY BE NECESSARY FOR THE IMPLEMENTATION OF
27 MANAGEMENT PLANS ON PROPERTIES OWNED OR MANAGED BY THE STATE
28 GOVERNMENT; OR

29 (B) ADOPT REGULATIONS LIMITING THE USE OF PESTICIDES IN THE
30 PRODUCTION OF AGRICULTURAL PRODUCTS, INCLUDING FOR THE PURPOSES
31 OF GROWING FEED FOR LIVESTOCK, MANAGING LIVESTOCK, AND
32 MAINTAINING AGRICULTURAL WATER SUPPLY FACILITIES SUCH AS
33 IRRIGATION DITCHES AND OTHER WATER INFRASTRUCTURE; OR

34 (VI) ENFORCE REGULATIONS ENACTED PURSUANT TO SUBSECTION
35 (3)(a)(V) OF THIS SECTION.

36 (a.5) A VIOLATION OF ANY REGULATION ADOPTED BY A LOCAL
37 GOVERNMENT PURSUANT TO SUBSECTION (3)(a)(V) OF THIS SECTION DOES
38 NOT ITSELF CONSTITUTE A VIOLATION OF ANY OTHER PROVISION OF THIS
39 ARTICLE 10."

40 Renumber succeeding section accordingly.

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