

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 12-0775.01 Jery Payne x2157

**SENATE BILL 12-169**

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**SENATE SPONSORSHIP**

**Tochtrop,**

**HOUSE SPONSORSHIP**

**Sonnenberg,**

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**Senate Committees**

Agriculture, Natural Resources, and Energy

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE ADMINISTRATION OF COUNTY POWERS TO MAINTAIN**  
102 **THE LANDSCAPE.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

**Section 1** of the bill removes the statutory cap of \$5,000 on the amount that a county may seek reimbursement for in connection with pest control efforts on private property. **Section 2** authorizes a county pest inspector to exercise the powers already granted to counties to control weeds and rodents.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

*Capital letters indicate new material to be added to existing statute.*

*Dashes through the words indicate deletions from existing statute.*

SENATE  
Amended 3rd Reading  
May 7, 2012

SENATE  
Amended 2nd Reading  
May 3, 2012

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

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3                **SECTION 1.** In Colorado Revised Statutes, **add** 35-4-117 as  
4 follows:

5           **35-4-117. County pest inspectors - weed and rodent control.**

6 SUBJECT TO THE DIRECTION OF THE COUNTY COMMISSIONERS, A COUNTY  
7 PEST INSPECTOR MAY EXERCISE THE POWERS AND DUTIES GRANTED TO,  
8 AND PERFORM THE DUTIES OF, COUNTIES IN ACCORDANCE WITH ARTICLES  
9 5.5 AND 7 OF THIS TITLE.

10           **SECTION 2.** In Colorado Revised Statutes, 35-5.5-105, amend  
11 (2) as follows:

12           **35-5.5-105. Noxious weed management - powers of county**  
13 **commissioners.** (2) (a) The board of county commissioners shall provide  
14 for the administration of the noxious weed management plan authorized  
15 by this article through the use of agents, delegates, or employees and may  
16 hire additional staff or provide for the performance of all or part of the  
17 management plan through outside contract. Any agent, delegate,  
18 employee, staff, or contractor applying or recommending the use of  
19 chemical management methods shall be certified by the department of  
20 agriculture for such application or recommendation. Costs associated with  
21 the administration of the noxious weed management plan shall be paid  
22 from the noxious weed management fund of each county.

23           (b) SUBJECT TO THE DIRECTION OF THE BOARD OF COUNTY  
24 COMMISSIONERS, AN AGENT OF THE COUNTY APPOINTED OR EMPLOYED  
25 UNDER THIS SUBSECTION (2) MAY EXERCISE THE POWERS AND DUTIES  
26 GRANTED TO, AND PERFORM THE DUTIES OF, A COUNTY PEST INSPECTOR IN

1 ACCORDANCE WITH ARTICLES 4 AND 5 OF THIS TITLE.

2           **SECTION 3. Act subject to petition - effective date -**  
3 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
4 the expiration of the ninety-day period after final adjournment of the  
5 general assembly (August 8, 2012, if adjournment sine die is on May 9,  
6 2012); except that, if a referendum petition is filed pursuant to section 1  
7 (3) of article V of the state constitution against this act or an item, section,  
8 or part of this act within such period, then the act, item, section, or part  
9 will not take effect unless approved by the people at the general election  
10 to be held in November 2012 and, in such case, will take effect on the  
11 date of the official declaration of the vote thereon by the governor.  
12           (2) The provisions of this act apply to weed or pest mitigation  
13 orders issued on or after the applicable effective date of this act.