

Colorado Legislative Council Staff Fiscal Note

**STATE
FISCAL IMPACT**

Drafting Number: LLS 15-0700	Date: February 6, 2015
Prime Sponsor(s): Rep. Primavera Sen. Todd	Bill Status: House Public Health Care and Human Services
	Fiscal Analyst: Lauren Schreier (303-866-3523)

BILL TOPIC: PROHIBIT PLASTIC MICROBEADS PERSONAL CARE PRODUCTS

Fiscal Impact Summary*	FY 2015-2016	FY 2016-2017	FY 2017-2018
State Revenue			Potential increase.
State Expenditures			Minimal increase.
FTE Position Change			
Appropriation Required: None.			

* This summary shows changes from current law under the bill for each fiscal year.

Summary of Legislation

The bill prohibits the production, sale, manufacturing, or promotion of personal care products or over-the-counter drugs that contain synthetic plastic microbeads. The bill phases in the prohibition between January 1, 2018 and January 1, 2020. The Department of Public Health and Environment (DPHE) may pursue civil penalties between \$1,000 and \$10,000 for anyone who violates the prohibition. The amount of the penalty will be determined by the district court in the judicial district where the violation occurred.

State Revenue

Starting in FY 2017-18, the bill may increase revenue to the General Fund by a minimal amount from fines on persons violating the microbead ban created in the bill. The bill permits the collection of civil penalties against individuals that the DPHE believes to be in violation of the prohibition. However, the fiscal note assumes a high level of compliance with the provisions of the bill and any potential penalty revenue is anticipated to be minimal.

State Expenditures

The bill may increase workload in some state agencies beginning in FY 2017-18, as discussed below.

Department of Public Health and Environment (DPHE). The bill may increase expenditures in the DPHE by a minimal amount. Under the bill, the DPHE may take action against any individual allegedly acting in violation of the prohibition. If the DPHE takes action against an individual, the DPHE may incur costs to investigate and assess penalties. Although the fiscal note

assumes a high level of compliance, if the DPHE pursues action against a greater number of individuals, any necessary increase in appropriations can be addressed through the annual budget process.

Department of Law. The Department of Law may incur costs related to enforcement actions and advising and representing the DPHE in district courts. However, given the low number of violations anticipated under the bill, any workload increase is expected to be minimal.

Judicial Department. The Judicial Department may experience a workload increase in the trial courts. Since the bill authorizes district courts to determine penalties, any violations will be addressed through the district courts. Given the high level of compliance anticipated, any workload increase is likely minimal.

Effective Date

The bill takes effect August 5, 2015, if the General Assembly adjourns on May 6, 2015, as scheduled, and no referendum petition is filed.

State and Local Government Contacts

Public Health and Environment
Counties

Judicial Department
District Attorneys

Law