

**STATE
FISCAL IMPACT**

Drafting Number: LLS 10-0498
Prime Sponsor(s): Rep. Primavera
 Sen. Boyd

Date: February 16, 2010
Bill Status: House Judiciary
Fiscal Analyst: Sara McPhee (303-866-4782)

TITLE: CONCERNING SAFE PERSONAL CARE PRODUCTS, AND, IN CONNECTION THEREWITH, CREATING THE "COLORADO SAFE PERSONAL CARE PRODUCTS ACT" AND PROHIBITING THE SALE OF PERSONAL CARE PRODUCTS THAT CONTAIN CHEMICALS IDENTIFIED AS CAUSING CANCER OR REPRODUCTIVE TOXICITY.

Fiscal Impact Summary	FY 2010-2011	FY 2011-2012
State Revenue General Fund	< \$10,000	< \$10,000
State Expenditures		
FTE Position Change		
Effective Date: August 11, 2010, if the General Assembly adjourns on May 12, 2010, as scheduled, and no referendum petition is filed.		
Appropriation Summary for FY 2010-2011: None required.		
Local Government Impact: None.		

Summary of Legislation

The bill creates the Colorado Safe Personal Care Products Act which prohibits manufacturers, after September 1, 2011, from selling or distributing a personal care product that has any chemical that causes cancer or reproductive toxicity in Colorado. If a manufacturer violates the act, a person may bring an action against the manufacturer in the relevant court. Penalties for violating the act include a fine of up to \$5,000 per violation per product for the first offense and up to \$10,000 per violation per product for subsequent offenses. The bill provides a definition of personal care products and chemicals that cause cancer or reproductive toxicity.

State Revenue

The bill specifies civil penalties for violating the act; however, the amount of penalty to be collected is expected to be less than \$10,000 per year. The fiscal note assumes that most manufacturers will comply with the law and no enforcement mechanism is specified. A person must bring an action against the manufacturer in court and it is assumed that these cases would happen infrequently.

Departments Contacted

Public Health and Environment Judicial Law