

**FINAL  
FISCAL NOTE**

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

**Date:** May 28, 2010  
**Bill Status:** Postponed Indefinitely  
**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.

<b>Fiscal Impact Summary</b>	<b>FY 2010-2011</b>	<b>FY 2011-2012</b>
<b>State Revenue</b> General Fund	< \$10,000	< \$10,000
<b>State Expenditures</b>		
<b>FTE Position Change</b>		
<b>Effective Date:</b> The bill was postponed indefinitely by the House Judiciary Committee on March 1, 2010.		
<b>Appropriation Summary for FY 2010-2011:</b> None required.		
<b>Local Government Impact:</b> 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