

**FINAL
FISCAL NOTE**

Drafting Number: LLS 12-0422

Date: July 25, 2012

Prime Sponsor(s): Rep. Kagan

Bill Status: Postponed Indefinitely

Fiscal Analyst: Alex Schatz (303-866-4375)

TITLE: CONCERNING A PROHIBITION ON CHILDREN'S PRODUCTS THAT CONTAIN BISPHENOL A.

Summary of Legislation

This bill prohibits manufacturers and wholesalers of children's products containing bisphenol-A (BPA) from selling or offering those products in Colorado beginning July 1, 2012. As of July 1, 2013, no person, including business entities and government agencies, may sell or provide these products. Children's products are defined as pacifiers, cups, and other containers for food and drink intended for children under the age of three years. The bill does not apply to used children's products. The bill is effective upon signature of the Governor, or upon becoming law without his signature.

The bill was postponed indefinitely by the House Economic and Business Development Committee on February 21, 2012.

Background

Bisphenol-A is a commonly used hardening agent in plastic materials. Recent studies indicate a potential link between BPA exposure and risk of certain diseases.

Assessment

The bill is assessed as having no fiscal impact. Colorado state and local agencies that handle children's products (e.g., county social services offices) will comply with the bill based on current practice or with minimal to no cost.

Although this prohibition of new BPA-containing children's products is codified in Title 25 of the Colorado Revised Statutes, along with other regulatory provisions enforced by the Colorado Department of Public Health and Environment (CDPHE), the bill does not include provisions for administrative enforcement by the CDPHE, for civil redress, or for any other specific remedial action. The fiscal note assumes that state or local agencies, if any, with a general regulatory or adjudicatory role involving children's products will enforce the bill's provisions within the purview of their existing statutory authority and appropriations.

Departments Contacted

Public Health and Environment
Judicial

Human Services
Law

Health Care Policy & Financing
Regulatory Agencies