

FISCAL IMPACT OF PROPOSED LEGISLATION

80th Oregon Legislative Assembly – 2020 Regular Session
Legislative Fiscal Office

Measure: HB 4109

*Only Impacts on Original or Engrossed
Versions are Considered Official*

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Date: February 11, 2020

Measure Description:

Prohibits aerial pesticide applicator from spraying or otherwise applying by aircraft pesticide product containing chlorpyrifos.

Government Unit(s) Affected:

Department of Consumer and Business Services (DCBS), Oregon Department of Agriculture (ODA)

Summary of Fiscal Impact:

Costs related to the measure may require budgetary action - See analysis.

Analysis:

HB 4109 restricts use of pesticides containing chlorpyrifos.

This measure takes effect upon passage. In the time between passage of the measure and January 2, 2023, aerial distribution of a pesticides containing chlorpyrifos is prohibited. The measure further prohibits application of pesticides containing chlorpyrifos within 300 feet of a school. Employers are directed to keep employees from going into areas where pesticides containing chlorpyrifos have been applied within the past eight days.

Starting January 1, 2022, pesticides containing chlorpyrifos may not be sold, purchased, or used. The Oregon Department of Agriculture is directed to revoke any registration for pesticides containing chlorpyrifos issued before that date.

The Oregon Department of Agriculture (ODA) estimates the costs of implementing this measure will total \$75,728 Other Funds in the 2019-21 biennium, plus indirect costs. These figures include using 400 hours of existing staff time to conduct outreach to retailers and producers of pesticides containing chlorpyrifos, and educating employers and aerial applicators about new restrictions on use. ODA anticipates this will require rulemaking and mailers to inform those who may be impacted by the measure. This work will be paid for by existing Pesticides Program fees.

ODA also anticipates a loss in revenue of \$29,440 per biennium, due to the loss of registrations for chlorpyrifos. These registrations are likely to taper off over the next two years, with no registrations remaining when the ban on chlorpyrifos takes effect in 2022.

The Legislative Fiscal Office believes that these costs can be absorbed within existing revenues and expenditure limitation, so this measure does not require referral to the Joint Committee on Ways and Means.