



Fiscal Note
Legislative Council Staff
Nonpartisan Services for Colorado’s Legislature

SB 25-289: CREATION OF A DRUG DONATION PROGRAM

Prime Sponsors:

Sen. Cutter
Rep. Brown

Fiscal Analyst:

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Fiscal note status: The revised fiscal note reflects the reengrossed bill.

Summary Information

Overview. The bill creates drug donation programs that allows the donation and redistribution of unused medicines.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Workload
- Minimal State Revenue
- Local Government

Appropriations. No appropriation is required.

Table 1
State Fiscal Impacts

Type of Impact	Budget Year FY 2025-26	Out Year FY 2026-27
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

Summary of Legislation

Current law allows certain licensed facilities and prescription drug outlets to redistribute unused medicine donated by patients. The bill expands these efforts by creating the Colorado Drug Donation Program in the Department of Regulatory Agencies (DORA) to facilitate the donation and redistribution of unused medicine to patients who are indigent, uninsured, or underinsured. Under the program, a donor and individual donor is defined as any entity or person legally authorized to possess medicine and a donation recipient includes a wholesaler, distributor, third-party logistics provider, repackager, hospital, pharmacy, clinic, health-care provider, or prescriber's office.

The bill establishes record-keeping requirements for donated medicines, types of medicines that may be donated, storage and disposal of donated medicines, and the process for re-dispensing medicine to eligible patients. The bill also requires the State Board of Pharmacy in DORA to develop program rules; clarifies that individuals and entities involved in the program are not liable when acting in good faith; and modifies the existing state laws that allow select facilities to re-dispense unused medicine to align with the redistribution of unused medicine through this program.

Finally, the bill creates the Veterinary Drug Donation Program that allows animal owners to donate unused drugs for animals to licensed veterinarians or animal shelters. Veterinarians may reissue donated drugs free of charge to other animal owners based on economic need, provided the drugs meet specific criteria. The bill outlines requirements for donated drugs; clarifies entities involved in the program are not liable when exercising reasonable care; and allows the State Board of Pharmacy to adopt rules to implement the program.

State Revenue

Beginning in FY 2025-26, the bill may increase state revenue to the Judicial Department from an increase in civil case filing fees for noncompliant entities participating in the programs. The fiscal note assumes most participants will follow the law and any increase in fee revenue will be minimal.

State Expenditures

Beginning in FY 2025-26, the bill minimally increases workload in DORA, the Judicial Department, and other state agencies, as described below.

Department of Regulatory Agencies

Beginning in FY 2025-26, workload will increase for the Board of Pharmacy to develop rules and oversee the programs. This workload is minimal and can be accomplished within existing resources.

Judicial Department

Trial court workload in the Judicial Department may increase for cases against noncompliant entities. The fiscal note assumes most participants will follow the law and that any increase can be accomplished within existing resources.

Other state agencies

To the extent that state health facilities opt to participate in the program, workload will increase to implement the program at the facility. The fiscal note assumes participation is at the discretion of the facility and any workload impacts will be absorbable within existing appropriations or will be requested through the annual budget process.

Local Government

Similar to state facilities, any local facility that elects to participate in the program will have increased administrative costs to follow the requirements of the program.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Corrections

Law

Higher Education

Public Health and Environment

Human Services

Regulatory Agencies

Judicial