

An Act

HOUSE BILL 26-1011

BY REPRESENTATIVE(S) Duran and McCormick, Bacon, Brown, English, Froelich, Goldstein, Hamrick, Joseph, Lindsay, Nguyen, Rutinel, Rydin, Valdez, Garcia, Smith;
also SENATOR(S) Rodriguez and Roberts, Amabile, Cutter, Coleman.

CONCERNING THE TRANSFER OF CERTAIN PET ANIMALS IN COLORADO.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) Dogs in commercial breeding facilities, known as puppy mills, spend most of their lives in cramped cages, where they are forced to produce litter after litter and suffer from inadequate care, which frequently results in disease, behavioral issues, and even death;

(b) While there are federal regulations intended to provide oversight of commercial breeding facilities, these federal regulations do not suffice in preventing cruelty to dogs in these facilities;

(c) Retail stores and brokers selling dogs to the public engage in

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

deceptive business practices, harming consumers across the state who are falsely made to believe that they are purchasing healthy puppies; and

(d) Therefore, it is the policy of the state to end the sales and other transfers of dogs in retail stores and by brokers in order to:

(I) Shut down the puppy mill pipeline and end the cruelty to dogs in these facilities;

(II) Protect consumers from deceptive business practices; and

(III) Support responsible breeders, animal shelters, and pet animal rescues.

(2) The general assembly further finds and declares that nothing in this act impacts agricultural operations in the state.

SECTION 2. In Colorado Revised Statutes, 35-80-102, **add** (1.7) and (8.5) as follows:

35-80-102. Definitions.

As used in this article 80, unless the context otherwise requires:

(1.7) (a) "BROKER" MEANS A PERSON THAT, FOR PROFIT, SELLS, LEASES, OFFERS TO SELL OR LEASE, BARTERS, AUCTIONS, OR OTHERWISE TRANSFERS OWNERSHIP OF, IN PERSON OR ONLINE, A PET ANIMAL BRED BY ANOTHER PERSON.

(b) "BROKER" DOES NOT INCLUDE A PERSON THAT TRANSFERS NO MORE THAN THREE SINGLE PET ANIMALS PER EACH CALENDAR YEAR IF THE PERSON TRANSFERS EACH SINGLE PET ANIMAL NO MORE THAN ONCE.

(8.5) "GOVERNMENTAL AGENCY" MEANS A STATE AGENCY OR AN OFFICE, DEPARTMENT, DIVISION, BOARD, BUREAU, COMMISSION, INSTITUTION, OR AGENCY OF A COUNTY, CITY, OR CITY AND COUNTY IN THE STATE.

SECTION 3. In Colorado Revised Statutes, **amend** 35-80-108.5 as follows:

35-80-108.5. Pet stores - brokers - exceptions - short title.

(1) The short title of this section is the "~~Pet Store Consumer Protection Act~~" "PISTOL THE POMERANIAN PROTECTION ACT".

~~(2) A pet store that sells or offers for sale dogs or cats shall:~~

~~(2)(a) Include on all advertisements, including website postings, the purchase price of the dog or cat and any applicable federal or state license numbers for the breeder of the dog or cat; ON AND AFTER JANUARY 1, 2028, A PET STORE SHALL NOT SELL, LEASE, OFFER TO SELL OR LEASE, BARTER, AUCTION, OR OTHERWISE TRANSFER OWNERSHIP OF A DOG OR CAT.~~

~~(b) Post on the enclosure of each dog or cat the purchase price of the dog or cat and the following information on the dog's or cat's breeder: Full name; kennel name, if applicable; city; state; and any applicable state or federal license numbers; and NOTHING IN THIS SECTION PROHIBITS A PET STORE FROM PROVIDING SPACE FOR THE DISPLAY OF DOGS OR CATS AVAILABLE FOR ADOPTION IF:~~

~~(I) THE DOGS OR CATS ARE DISPLAYED BY A LICENSED ANIMAL SHELTER OR PET ANIMAL RESCUE;~~

~~(II) THE PET STORE DOES NOT RECEIVE A FEE IN CONNECTION WITH THE DISPLAY OF THE DOGS OR CATS; AND~~

~~(III) ANY DOG OR CAT DISPLAYED FOR ADOPTION IS STERILIZED IN ACCORDANCE WITH APPLICABLE STATE AND LOCAL REGULATIONS.~~

~~(c) Disclose to a prospective consumer in writing, prior to the sale of a dog or cat, the following information about the dog or cat:~~

~~(i) The purchase price of the dog or cat;~~

~~(ii) The interest rate or range associated with any financing or credit card offered to the prospective purchaser; and~~

~~(iii) Any applicable federal or state license numbers and an unredacted list of all violations of any federal or state law the dog or cat breeder, broker, or transporter received in the previous two years on a~~

~~federal or state inspection report.~~

(3) Nothing in this section precludes a statutory or home rule town, city, county, or city and county from enacting laws more stringent than the requirements of this section. ~~including a prohibition on the sale or offer for sale of dogs and cats.~~

(4) (a) A BROKER SHALL NOT SELL, LEASE, OFFER TO SELL OR LEASE, BARTER, AUCTION, OR OTHERWISE TRANSFER OWNERSHIP OF A DOG OR CAT.

(b) SUBSECTION (4)(a) OF THIS SECTION DOES NOT APPLY TO:

(I) THE SALE, TRANSFER, OR ADOPTION OF AN ANIMAL, INCLUDING A LAW ENFORCEMENT ANIMAL, TO A GOVERNMENTAL AGENCY;

(II) THE SALE, TRANSFER, OR ADOPTION OF A GUIDE, SIGNAL, OR SERVICE DOG;

(III) THE SALE, TRANSFER, OR ADOPTION OF A DOG OR CAT BY AN ANIMAL SHELTER OR PET ANIMAL RESCUE;

(IV) THE SALE, TRANSFER, OR ADOPTION OF A DOG BRED OR TRAINED FOR LAWFUL HUNTING TO OR BY AN INDIVIDUAL WHO POSSESSES A CURRENT HUNTING LICENSE IN GOOD STANDING ISSUED BY THE DIVISION OF PARKS AND WILDLIFE PURSUANT TO ARTICLE 4 OF TITLE 33;

(V) THE SALE OR TRANSFER OF A DOG OR CAT BY THE ORIGINAL BREEDER OF THE DOG OR CAT; OR

(VI) THE SALE, TRANSFER, OR ADOPTION OF A DOG OR CAT BY A HEALTH-RELATED RESEARCH FACILITY PURSUANT TO SECTION 35-82-102.

SECTION 4. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for

the support and maintenance of the departments of the state and state institutions.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO