

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 21-0022.01 Yelana Love x2295

HOUSE BILL 21-1160

HOUSE SPONSORSHIP

Duran and Soper,

SENATE SPONSORSHIP

Ginal and Coram,

House Committees

Agriculture, Livestock, & Water

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CARE OF PET ANIMALS IN THE CUSTODY OF CERTAIN**
102 **PET ANIMAL FACILITIES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill specifies the standard of care that each animal shelter and pet animal rescue is required to provide each dog and cat held in its custody.

The bill also allows an animal shelter and pet animal rescue to dispose of each dog and cat in its custody only by adopting the animal out, returning the animal to its owner, or transferring the animal to

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
Amended 2nd Reading
March 25, 2021

another animal shelter or pet animal rescue if the animal:

- Exhibits no signs of illness or injury or exhibits only signs of illness or injury for which there is a realistic prognosis for a good quality of life; and
- Has not exhibited behavior that is likely to result in bodily injury or death to another animal or human being.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and determines that:

4 (a) The citizens of Colorado value pet animals and have an
5 expectation that pet animals will be treated with respect and consideration
6 at all times;

7 (b) It is the established practice in Colorado that no healthy and
8 safe dog or cat is euthanized solely based on:

9 (I) The amount of time the animal is held by or in the custody of
10 an animal shelter or pet animal rescue; or

11 (II) Limitations on available space to house the animal while it is
12 held in such custody;

13 (c) Colorado has a vigorous, collaborative, and well-organized
14 intrastate transfer program to implement this practice, resulting in the
15 opportunity for all healthy and safe dogs and cats to be placed in homes;

16 (d) A dog's or cat's quality of life and health includes mental and
17 emotional well-being as well as physical health;

18 (e) The citizens of Colorado also have a reasonable expectation
19 that known dangerous dogs and cats will not be placed into homes by
20 animal shelters or pet animal rescues; and

21 (f) Colorado's goal is to create the best outcomes for homeless
22 dogs and cats and for Coloradans by placing dogs and cats that are

1 healthy and do not constitute a danger to people or other animals.

2 (2) The general assembly declares that it is necessary and
3 appropriate to protect animals and people by establishing the "Colorado
4 Socially Conscious Sheltering Act".

5 **SECTION 2.** In Colorado Revised Statutes, **add** 35-80-106.6 as
6 follows:

7 **35-80-106.6. Care of dogs and cats in animal shelters and pet**
8 **animal rescues - short title - legislative declaration - requirements -**
9 **permitted means of disposal - definitions.** (1) THE SHORT TITLE OF THIS
10 SECTION IS THE "COLORADO SOCIALLY CONSCIOUS SHELTERING ACT".

11 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
12 REQUIRES:

13 (a) "HEALTHY" MEANS THAT A DOG OR CAT EXHIBITS NO SIGNS OF
14 ILLNESS OR INJURY OR EXHIBITS SIGNS OF ILLNESS OR INJURY FOR WHICH
15 THERE IS A REALISTIC PROGNOSIS FOR A GOOD QUALITY OF LIFE.

16 (b) "SAFE" MEANS THAT A DOG OR CAT HAS NOT EXHIBITED
17 BEHAVIOR THAT IS LIKELY TO RESULT IN BODILY INJURY OR DEATH TO
18 ANOTHER ANIMAL OR HUMAN BEING.

19 (3) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES
20 THAT EVERY HOMELESS DOG AND CAT DESERVES APPROPRIATE SHELTER,
21 CARE, AND ENRICHMENT, AND THAT DOGS AND CATS THAT ARE HEALTHY
22 AND SAFE SHOULD BE ADOPTED OUT, RETURNED TO THEIR OWNERS, OR
23 TRANSFERRED TO ANOTHER ANIMAL SHELTER OR PET ANIMAL RESCUE BY
24 ANIMAL SHELTERS AND PET ANIMAL RESCUES.

25 (4) EACH ANIMAL SHELTER AND PET ANIMAL RESCUE SHALL
26 PROVIDE EACH DOG AND CAT HELD IN ITS CUSTODY WITH TIMELY
27 VETERINARY CARE TO ADDRESS AND PREVENT UNNECESSARY OR

1 UNJUSTIFIABLE PAIN AND SUFFERING.

2 (5) EACH ANIMAL SHELTER AND PET ANIMAL RESCUE SHALL
3 ADDRESS THE BEHAVIORAL NEEDS OF EACH DOG AND CAT HELD IN ITS
4 CUSTODY TO ENSURE THAT THE DOG OR CAT IS NOT HOUSED OR KEPT IN A
5 MANNER THAT FOSTERS OBSESSIVE-COMPULSIVE OR SELF-MUTILATING
6 BEHAVIOR.

7 (6) FOR EACH HEALTHY AND SAFE DOG OR CAT IN ITS CUSTODY, AN
8 ANIMAL SHELTER OR PET ANIMAL RESCUE SHALL ADOPT OUT THE ANIMAL,
9 RETURN THE ANIMAL TO ITS OWNER, OR TRANSFER THE ANIMAL TO
10 ANOTHER ANIMAL SHELTER OR PET ANIMAL RESCUE.

11 (7) NOTHING IN THIS SECTION:

12 (a) APPLIES TO A CAT THAT WAS NOT SOCIALIZED TO PEOPLE
13 DURING ITS BEHAVIORAL DEVELOPMENT AND THEREFORE DOES NOT
14 ALLOW ITSELF TO BE HANDLED; ■

15 (b) PROHIBITS THE ADOPTION OF ANY DOG OR CAT BY AN ANIMAL
16 SHELTER OR PET ANIMAL RESCUE; OR

17 (c) LIMITS OTHER AVAILABLE POTENTIAL LIVE OUTCOMES FOR
18 DOGS OR CATS IN THE CUSTODY OF AN ANIMAL SHELTER OF PET ANIMAL
19 RESCUE.

20 **SECTION 3. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly; except
23 that, if a referendum petition is filed pursuant to section 1 (3) of article V
24 of the state constitution against this act or an item, section, or part of this
25 act within such period, then the act, item, section, or part will not take
26 effect unless approved by the people at the general election to be held in

- 1 November 2022 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.