

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-1173.01 Yelana Love x2295

HOUSE BILL 24-1458

HOUSE SPONSORSHIP

Duran and Armagost, McCormick, McLachlan

SENATE SPONSORSHIP

Zenzinger and Roberts,

House Committees

Agriculture, Water & Natural Resources
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE DIVISION OF ANIMAL WELFARE IN**
102 **THE DEPARTMENT OF AGRICULTURE.**

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 creates the division of animal welfare (division) within the department of agriculture. The division is created to promote domestic animal welfare, including providing education and outreach, creating voluntary programs, and awarding grants.

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

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-1-123, **amend**
3 (4)(c)(II); and **add** (4)(g.5) as follows:

4 **24-1-123. Department of agriculture - creation.** (4) The
5 department of agriculture consists of the following divisions:

6 (c) (II) The state bureau of animal protection, created in article 42
7 of title 35. The state bureau of animal protection is a **type 2** entity, as
8 defined in section 24-1-105. The state bureau of animal protection
9 exercises its powers and performs its duties and functions under the
10 department of agriculture and is allocated to the division of animal
11 ~~industry~~ WELFARE as a section ~~thereof~~ OF THE DEPARTMENT.

12 (g.5) THE DIVISION OF ANIMAL WELFARE, THE HEAD OF WHICH IS
13 THE DIRECTOR OF THE DIVISION OF ANIMAL WELFARE. THE DIVISION OF
14 ANIMAL WELFARE AND THE OFFICE OF THE DIRECTOR OF THE DIVISION OF
15 ANIMAL WELFARE, CREATED IN ARTICLE 1 OF TITLE 35, ARE **TYPE 2**
16 ENTITIES, AS DEFINED IN SECTION 24-1-105, AND EXERCISE THEIR POWERS
17 AND PERFORM THEIR DUTIES AND FUNCTIONS UNDER THE DEPARTMENT OF
18 AGRICULTURE.

19 **SECTION 2.** In Colorado Revised Statutes, **amend** 35-1-108 as
20 follows:

21 **35-1-108. Divisions created.** There is created in the department
22 an administrative services division, a division of plant industry, a division
23 of animal health, A DIVISION OF ANIMAL WELFARE, a division of markets,
24 and a division of inspection and consumer services. These divisions are
25 **type 2** entities, as defined in section 24-1-105.

26 **SECTION 3.** In Colorado Revised Statutes, 35-1-104, **add**
27 (1)(gg) as follows:

1 **35-1-104. Functions, powers, and duties - rules.** (1) The
2 department has and shall exercise the following functions, powers, and
3 duties:

4 (gg) TO PROMOTE DOMESTIC ANIMAL WELFARE, INCLUDING
5 PROVIDING EDUCATION AND OUTREACH; CREATING VOLUNTARY
6 PROGRAMS; AND AWARDING GRANTS. PRIOR TO CREATING A VOLUNTARY
7 PROGRAM OR AWARDING GRANTS PURSUANT TO THIS SUBSECTION (1)(gg),
8 THE DEPARTMENT SHALL CONDUCT A STAKEHOLDER PROCESS TO RECEIVE
9 INPUT FROM THOSE INTERESTED IN THE PROPOSED PROGRAM OR GRANT
10 AND RECEIVE APPROVAL FROM THE COMMISSION.

11 **SECTION 4.** In Colorado Revised Statutes, 35-42-103, **amend**
12 the introductory portion and (7) as follows:

13 **35-42-103. Definitions.** As used in this ~~article~~ ARTICLE 42, unless
14 the context otherwise requires:

15 (7) "Division" means the division of animal ~~industry~~ WELFARE of
16 the department. ~~of agriculture.~~

17 **SECTION 5.** In Colorado Revised Statutes, 35-42-107, **amend**
18 (7) as follows:

19 **35-42-107. Bureau personnel - appointment.** (7) Agents
20 authorized to investigate cases involving livestock shall be employees of
21 the division, THE DIVISION OF ANIMAL HEALTH, or the division of brand
22 inspection of the department or any sheriffs when appointed and within
23 their jurisdiction.

24 **SECTION 6.** In Colorado Revised Statutes, 18-9-204.5, **amend**
25 (2)(a.5) as follows:

26 **18-9-204.5. Unlawful ownership of dangerous dog - legislative**
27 **declaration - definitions.** (2) As used in this section, unless the context

1 otherwise requires:

2 (a.5) "Bureau" means the bureau of animal protection in the
3 ~~department of agriculture~~, division of animal ~~industry~~ WELFARE, created
4 pursuant to section 35-42-105, ~~C.R.S.~~ IN THE DEPARTMENT OF
5 AGRICULTURE.

6 **SECTION 7. Act subject to petition - effective date.** This act
7 takes effect at 12:01 a.m. on the day following the expiration of the
8 ninety-day period after final adjournment of the general assembly; except
9 that, if a referendum petition is filed pursuant to section 1 (3) of article V
10 of the state constitution against this act or an item, section, or part of this
11 act within such period, then the act, item, section, or part will not take
12 effect unless approved by the people at the general election to be held in
13 November 2024 and, in such case, will take effect on the date of the
14 official declaration of the vote thereon by the governor.