



# Initiative 16

## Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

# Fiscal Impact Statement

**Date:** April 30, 2021

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**LCS TITLE: LAWS CONCERNING CRUELTY TO ANIMALS**

Fiscal Impact Summary		FY 2021-22	FY 2022-23	FY 2023-24
<b>Revenue</b>	General Fund	-	Indeterminate reduction	
	Cash Funds			
<b>Expenditures</b>	General Fund	-	\$167,193	\$304,485

*Disclaimer.* This initial fiscal impact statement has been prepared for an initiative approved for petition circulation by the Secretary of State. If the initiative is placed on the ballot, Legislative Council Staff may revise this estimate for the ballot information booklet (Blue Book) if new information becomes available.

## Summary of Measure

Initiative 16 amends the animal cruelty provisions in the Colorado Criminal Code to cover all non-human creatures and adds fish to the definition of livestock. The measure expands the crime of cruelty to animals to include the slaughter of livestock if the animal has not lived one quarter of their natural lifespan. Natural lifespan is defined as 20 years for cows, 8 years for chickens, 10 years for turkeys, 6 years for both ducks and rabbits, and 15 years for both pigs and sheep. Certain animal husbandry and veterinary procedures that involve intrusion or penetration into an animal's anus or genitals, however slight, may be considered as a sexual act with an animal, a crime of cruelty to animals.

## Background and Assumptions

According to the 2017 Census of Agriculture from the United States Department of Agriculture, Colorado has over 1,200 farms that produce over \$4.0 billion in sales of cattle and calves annually. Cattle are usually slaughtered between 12 and 24 months of age while a veal calf is raised until about 16 to 18 weeks of age. Because this is less than the minimum ages required under the measure, the livestock industry would be required to raise animals for longer periods. Holding livestock for longer periods before slaughter would increase costs for the industry and delay the receipt of revenue. Also, animal husbandry practices such as artificial insemination would likely be prohibited under the measure, which would further impact the industry's ability to operate. These changes would impact state revenue and expenditures, as described below.

## State Revenue

The measure is expected to reduce state revenue generated by the livestock and associated industries by a significant amount, and may minimally increase revenue from criminal fines and fees, as described below.

**Revenue from livestock and associated industries.** This measure is expected to reduce General Fund revenue by a significant, but indeterminate amount from reduced activity in the livestock industry in Colorado. It will also reduce revenue to the Public School Fund from grazing fees.

*Income and sales tax.* The measure is expected to have a significant impact on Colorado's livestock industry, as well as businesses that provide goods and services to the industry and distributors and consumers of livestock. In particular, Colorado's beef production industry is expected to be impacted. This industry accounts for the largest share of income from Colorado's agricultural industry and is the state's number one export. To the extent that the measure reduces farming and ranching activity and supporting industry activities, income and sales tax collections will be reduced.

*Grazing fees.* The reduction in farming and ranching activity may also reduce the revenue the state earns from state lands leased for the grazing of livestock. This revenue is used for public school funding.

**Criminal fines and fees.** This initiative will increase revenue from fine penalties by an indeterminate amount if persons are convicted of the new and modified criminal offenses created by the measure. In addition, fee revenue from brand inspections by the Department of Agriculture may decrease to the extent that more time will elapse before livestock can be slaughtered. These revenue impacts have not been quantified.

## State Expenditures

The initiative will increase General Fund expenditures for the Department of Agriculture to add two additional staff to assist in the investigation of animal cruelty investigations. This is expected to cost \$167,193 in FY 2022-23 and \$304,485 in FY 2023-24 and future years. This assumes that staff will be added in January, 2023. These costs are summarized in Table 2 below.

**Table 2**  
**Expenditures Under Initiative 16**

<b>Cost Components</b>	<b>FY 2021-22</b>	<b>FY 2022-23</b>	<b>FY 2023-24</b>
<b>Department of Agriculture</b>			
Personal Services	-	\$108,484	\$216,968
Operating Expenses	-	\$1,350	\$2,700
Capital Outlay Costs	-	\$12,400	\$0
Employee Insurance / Retirement Payments	-	\$44,959	\$84,817
FTE – Personal Services	-	1.0 FTE	2.0 FTE
<b>CDA Total</b>	-	<b>\$167,193</b>	<b>\$304,485</b>

## Local Government

Local law enforcement and district attorneys will have increased workload to investigate and prosecute more cases involving animal cruelty. Persons convicted of the new and modified offenses under the initiative may be incarcerated in a county jail, which will increase costs for counties.

## Effective Date

If approved by voters at the 2022 general election, this measure takes effect April 1, 2023.

## State and Local Government Contacts

Agriculture  
District Attorneys  
Information Technology  
Law  
Municipalities  
Regulatory Agencies

Counties  
Higher Education  
Judicial  
LCS Economists  
Natural Resources  
Sheriffs