

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

**SECOND REVISED**

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

LLS NO. 20-0315.01 Yelana Love x2295

**SENATE BILL 20-078**

**SENATE SPONSORSHIP**

**Donovan,** Bridges, Ginal, Gonzales, Lee, Smallwood, Tate, Winter, Woodward

**HOUSE SPONSORSHIP**

**Garnett,**

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**Senate Committees**

Business, Labor, & Technology

**House Committees**

Business Affairs & Labor

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**A BILL FOR AN ACT**

101 **CONCERNING THE ABILITY OF A PERSON TO BRING A PET DOG ONTO**  
102 **THE PREMISES OF A RESTAURANT.**

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**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 authorizes a retail food establishment to allow a person to bring a pet dog to an outdoor dining area if certain conditions are met. Local governing bodies may prohibit the presence of pet dogs for all retail food establishments within the governing body's jurisdiction.

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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 11, 2020

HOUSE  
Amended 2nd Reading  
March 09, 2020

SENATE  
3rd Reading Unamended  
February 13, 2020

SENATE  
Amended 2nd Reading  
February 12, 2020

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

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

4 (a) Gia; Henry; Sassy and Pepe; Lucy; Myles; Queso; Simo and  
5 Opie; Enzo; Hattie; George; Charlie; Gary, Solomon, and Luna; Bruin;  
6 Shep; Juliet and Lancelot; Patton; Rocky; Leila; George; Dingo; Angel;  
7 Huck; Bella; Hattie; Darby; Tuff; Liberty; Leopold; Cletus; Ruby; Dewy;  
8 Gunner; Harley; Cooper; Lola; Blue; Sissy; Jake and Jenny; Buffy; Jen;  
9 Calvin; Charlie; Lulu and Jobin; Chile and Lady; Lily; Kai; Molly; Anna;  
10 Truffle; Maisy; Vasily Zaistev; Darby; Monty; Pistol; Sassy; Frida;  
11 Bruce; Halley Faye, Anthony D., Wozzo, and Theodore Roosevelt; Bill  
12 Murray; Maggie; Stella; Millie; Gertie; Lily; Sam; Theodosia;  
13 Theophilus; and Cleo are in strong support of this act; and

14 (b) Padda, Punky, Annie, Chica, Theodore-able, Edwin, Bubby,  
15 Annie, Casey, Brown Sugar, Lola, and Pablo would have enjoyed this  
16 freedom.

17 **SECTION 2.** In Colorado Revised Statutes, **add** 25-4-1615 as  
18 follows:

19 **25-4-1615. Pet dogs in retail food establishments - prohibited**  
20 **- exceptions.** (1) EXCEPT AS SPECIFIED IN SUBSECTION (3) OF THIS  
21 SECTION, A PERSON MAY HAVE A PET DOG IN AN OUTDOOR DINING AREA OF  
22 A RETAIL FOOD ESTABLISHMENT IF:

23 (a) THE RETAIL FOOD ESTABLISHMENT ELECTS TO ALLOW PET DOGS  
24 IN ITS OUTDOOR DINING AREA;

25 (b) A SEPARATE ENTRANCE IS PRESENT THROUGH WHICH THE PET  
26 DOG ENTERS AND EXITS THE OUTDOOR DINING AREA WITHOUT PASSING  
27 THROUGH THE RETAIL FOOD ESTABLISHMENT;

1 (c) THE PERSON DOES NOT ALLOW THE PET DOG ON CHAIRS,  
2 BENCHES, SEATS, OR OTHER FURNITURE OR FIXTURES;

3 (d) THE OUTDOOR DINING AREA IS NOT USED FOR FOOD OR DRINK  
4 PREPARATION; EXCEPT THAT AN EMPLOYEE OF THE RETAIL FOOD  
5 ESTABLISHMENT MAY REFILL A BEVERAGE GLASS IN THE OUTDOOR DINING  
6 AREA FROM A PITCHER OR OTHER CONTAINER;

7 (e) THE PET DOG IS ON A LEASH OR CONFINED IN A PET CARRIER  
8 AND IS UNDER THE CONTROL OF A PERSON;

9 (f) THE LICENSEE OF THE RETAIL FOOD ESTABLISHMENT ENSURES  
10 COMPLIANCE WITH LOCAL ORDINANCES RELATED TO SIDEWALKS, PUBLIC  
11 NUISANCES, AND SANITATION; AND

12 (g) THE RETAIL FOOD ESTABLISHMENT IS IN COMPLIANCE WITH  
13 ANY OTHER CONTROL MEASURES APPROVED BY THE COUNTY OR DISTRICT  
14 PUBLIC HEALTH AGENCY.

15 (2) A PERSON WHO BRINGS A PET DOG IN AN OUTDOOR DINING  
16 AREA IN ACCORDANCE WITH THIS SECTION IS RESPONSIBLE FOR THE  
17 BEHAVIOR OF THAT PET DOG.

18 (3) (a) THE GOVERNING BODY OF A CITY, COUNTY, OR CITY AND  
19 COUNTY MAY PROHIBIT THE PRESENCE OF PET DOGS IN OUTDOOR DINING  
20 AREAS OF RETAIL FOOD ESTABLISHMENTS LOCATED WITHIN THE  
21 GOVERNING BODY'S JURISDICTION.

22 (b) A RETAIL FOOD ESTABLISHMENT MAY ELECT NOT TO ALLOW  
23 PET DOGS IN ITS OUTDOOR DINING AREA.

24 (4) NOTHING IN THIS SECTION IS INTENDED TO RESTRICT THE  
25 PRESENCE OF A SERVICE ANIMAL, AS DEFINED IN SECTION 24-34-301 (6.5).

26 **SECTION 3. Act subject to petition - effective date.** This act  
27 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly (August  
2 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a  
3 referendum petition is filed pursuant to section 1 (3) of article V of the  
4 state constitution against this act or an item, section, or part of this act  
5 within such period, then the act, item, section, or part will not take effect  
6 unless approved by the people at the general election to be held in  
7 November 2020 and, in such case, will take effect on the date of the  
8 official declaration of the vote thereon by the governor.