

First Regular Session
Seventy-third General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 21-0209.01 Jery Payne x2157

HOUSE BILL 21-1062

HOUSE SPONSORSHIP

Valdez D.,

SENATE SPONSORSHIP

Sonnenberg,

House Committees

Agriculture, Livestock, & Water

Public & Behavioral Health & Human Services

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE SALE OF ANIMALS FOR CONSUMPTION TO INFORMED
102 END CONSUMERS IN A MANNER THAT EXEMPTS THE SALE FROM
103 CERTAIN LAWS.

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>.)

Section 1 of the bill allows a person to sell, without licensure, regulation, or inspection by a public health agency, an animal or shares of the meat of an animal for future delivery if:

- At the point of sale, the person displays a conspicuous disclaimer or gives the customer a document with a

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.

disclaimer indicating that the seller is not subject to licensure and the animal or meat is not subject to state regulation or inspection by a public health agency and that the animal or meat is not intended for resale; and

- The animal or meat is delivered directly from the seller to an informed end consumer and is sold only in Colorado and the sale does not involve interstate commerce.

A person who makes a purchase under the bill is prohibited from reselling the animal or animal share. The bill clarifies that the seller is not liable in a civil action for damages caused by inadequately cooking or improperly preparing the animal or animal share.

Section 2 limits the number of brand inspections for an animal share sale to a single inspection before slaughter. Each purchaser must be listed on the inspection certificate. The state board of stock inspection commissioners will promulgate rules establishing procedures for a single inspection.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 25-4-1617 as
3 follows:

4 **25-4-1617. Animal shares and meat sales by farmers and**
5 **ranchers - definitions. (1) Definitions.** AS USED IN THIS SECTION,
6 UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 (a) "ANIMAL" INCLUDES CATTLE, CALVES, SHEEP, POULTRY, HOGS,
8 RABBITS, AND FISH.

9 (b) "ANIMAL SHARE" MEANS AN OWNERSHIP INTEREST OF AT LEAST
10 ONE PERCENT IN THE MEAT OF A LIVE ANIMAL.

11 (c) "INFORMED END CONSUMER" MEANS A PERSON THAT IS THE
12 LAST PERSON TO PURCHASE A PRODUCT, THAT DOES NOT RESELL THE
13 PRODUCT, AND THAT HAS BEEN INFORMED BY THE SELLER THAT THE
14 PRODUCT IS NOT REGULATED OR INSPECTED BY A PUBLIC HEALTH AGENCY.

15 (d) "PUBLIC HEALTH AGENCY" MEANS THE DEPARTMENT OR A
16 COUNTY OR DISTRICT PUBLIC HEALTH AGENCY.

1 (2) **Sale exempt from licensure, regulation, or inspection by a**
2 **public health agency.** SECTIONS 25-4-1604 TO 25-4-1612 DO NOT APPLY
3 TO THE SALE OF AN ANIMAL OR ANIMAL SHARE IF:

4 (a) THE PERSON MAKING THE SALE EITHER GIVES THE CONSUMER
5 A DOCUMENT AT OR CONSPICUOUSLY DISPLAYS A PLACARD, SIGN, OR CARD
6 AT THE POINT OF SALE WITH THE FOLLOWING DISCLAIMER: "THE PERSON
7 WHO IS SELLING THIS MEAT IS NOT SUBJECT TO LICENSURE, AND AN
8 ANIMAL OR MEAT SOLD BY THIS PERSON IS NOT SUBJECT TO STATE
9 REGULATION OR INSPECTION BY A PUBLIC HEALTH AGENCY. AN ANIMAL OR
10 MEAT PURCHASED HERE IS NOT INTENDED FOR RESALE.";

11 (b) THE SALE DOES NOT INVOLVE INTERSTATE COMMERCE; AND

12 (c) THE ANIMAL OR ANIMAL SHARE BEING SOLD:

13 (I) IS DELIVERED DIRECTLY FROM THE SELLER TO AN INFORMED
14 END CONSUMER; AND

15 (II) IS SOLD ONLY IN COLORADO.

16 (3) **Authorization to sell animals and animal shares.** A PERSON
17 WHO SATISFIES THE REQUIREMENTS OF SUBSECTION (2) OF THIS SECTION
18 MAY SELL AN ANIMAL OR ANIMAL SHARE TO AN INFORMED END CONSUMER
19 FOR FUTURE DELIVERY AT A LOCATION AGREED TO BETWEEN THE PERSON
20 AND THE INFORMED END CONSUMER, SUBJECT TO A BRAND INSPECTION
21 REQUIRED IN SECTION 35-53-101 (3).

22 (4) **Resale prohibited.** A PERSON WHO PURCHASES AN ANIMAL OR
23 ANIMAL SHARE UNDER THIS SECTION SHALL NOT RESELL THE ANIMAL OR
24 ANIMAL SHARE.

25 (5) **Liability.** A PERSON WHO SELLS AN ANIMAL OR ANIMAL SHARE
26 IN ACCORDANCE WITH THIS SECTION IS NOT LIABLE IN A CIVIL ACTION FOR
27 ANY DAMAGES CAUSED BY THE ANIMAL OR ANIMAL SHARE BEING

1 INADEQUATELY COOKED OR IMPROPERLY PREPARED FOR CONSUMPTION.

2 **SECTION 2.** In Colorado Revised Statutes, 35-53-101, **add** (3)
3 as follows:

4 **35-53-101. Brand inspection fee - animal shares - minimum fee**
5 **- waiver permit - rules - definition.** (3) (a) WHEN PERFORMING AN
6 INSPECTION OF LIVESTOCK SOLD AS ANIMAL SHARES IN ACCORDANCE WITH
7 SECTION 25-4-1617, AN AUTHORIZED COLORADO BRAND INSPECTOR
8 SHALL:

9 (I) INSPECT THE LIVESTOCK ONLY ONCE IMMEDIATELY BEFORE
10 SLAUGHTER NOTWITHSTANDING THE LIVESTOCK BEING SOLD TO MULTIPLE
11 PURCHASERS; AND

12 (II) REQUIRE THAT ALL OF THE PURCHASERS OF ANIMAL SHARES
13 ARE REFLECTED ON THE CERTIFICATE OF BRAND INSPECTION.

14 (b) THE STATE BOARD OF STOCK INSPECTION COMMISSIONERS
15 SHALL PROMULGATE RULES IMPLEMENTING THIS SECTION, INCLUDING
16 ESTABLISHING PROCEDURES FOR A SINGLE BRAND INSPECTION BEFORE
17 SLAUGHTER OF LIVESTOCK INTENDED TO BE SOLD AS ANIMAL SHARES IN
18 ACCORDANCE WITH SECTION 25-4-1617.

19 (c) AS USED IN THIS SUBSECTION (3), "ANIMAL SHARE" HAS THE
20 MEANING SET FORTH IN SECTION 25-4-1617 (1)(b).

21 **SECTION 3. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, or safety.