

First Regular Session  
Seventy-third General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 21-0023.01 Yelana Love x2295

HOUSE BILL 21-1102

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HOUSE SPONSORSHIP

Duran and Soper,

SENATE SPONSORSHIP

Jaquez Lewis,

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House Committees

Agriculture, Livestock, & Water

Senate Committees

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A BILL FOR AN ACT

101 CONCERNING REQUIREMENTS OF PET STORES THAT SELL CERTAIN PET  
102 ANIMALS.

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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 creates the "Pet Store Consumer Protection Act", which prohibits a pet store that was not licensed by the commissioner of agriculture prior to the effective date of the bill from selling or offering to sell dogs or cats on or after the effective date of the bill.

The bill also requires each pet store licensed to sell or offer to sell dogs or cats that continues to sell or offer to sell dogs or cats 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.

- Include on all advertisements, including website postings, the purchase price of the dog or cat and any applicable federal or state license numbers for the breeder of the dog or cat;
- Post on the enclosure of each dog or cat the purchase price of the dog or cat and certain information on the dog's or cat's breeder; and
- Make certain written disclosures to a prospective consumer prior to selling a dog or cat.

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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 that:

4 (a) Pet stores that sell puppies and kittens pose unique consumer  
5 protection issues, including misleading sales tactics, baseless health and  
6 behavior guarantees, and a lack of transparency about their breeders, the  
7 price of puppies and kittens, and financing interest rates;

8 (b) Colorado pet stores import thousands of dogs from  
9 commercial breeders, some of whom have egregious animal welfare  
10 records. This is not in line with the values of the pet-loving population of  
11 Colorado.

12 (c) The vast majority of pet stores in the state do not sell puppies  
13 and kittens, but rather sell only products and services, which is more  
14 humane and consumer-friendly. This model is also more responsible with  
15 respect to the current COVID-19 pandemic, as it does not require the  
16 importation of puppies and kittens, extra veterinary care and staff, or  
17 extended in-person consumer visits.

18 (d) Prohibiting new pet stores from selling puppies and kittens  
19 will ensure Colorado's consumer protection problem caused by pet stores  
20 that sell puppies and kittens does not worsen. Requiring increased

1 transparency will ensure that pet stores that choose to continue to sell  
2 puppies and kittens will provide consumers with information needed to  
3 make a more informed buying decision.

4 (e) This act will not affect a consumer's ability to obtain a dog or  
5 cat of the consumer's choice from a pet animal rescue, an animal shelter,  
6 a responsible breeder who sells directly to the public, or an existing pet  
7 store that adheres to transparency requirements; and

8 (f) Since pet stores affected by this act are already inspected by  
9 the department of agriculture through the "Pet Animal Care and Facilities  
10 Act", the department has a current mechanism for enforcing the act.

11 **SECTION 2.** In Colorado Revised Statutes, 35-80-102, **add** (9.3),  
12 (11.3), and (11.7) as follows:

13 **35-80-102. Definitions.** As used in this article 80, unless the  
14 context otherwise requires:

15 (9.3) (a) "OFFER FOR SALE" MEANS TO ADVERTISE A POTENTIAL  
16 SALE BY A PET STORE.

17 (b) "OFFER FOR SALE" INCLUDES:

18 (I) THE DISPLAY OF A LIVE DOG OR CAT FOR SALE; AND

19 (II) A VERBAL OR WRITTEN OFFER TO SELL A DOG OR CAT.

20 (11.3) "PET STORE" MEANS A RETAIL ESTABLISHMENT WHERE PET  
21 ANIMALS ARE SOLD OR OFFERED FOR SALE TO THE GENERAL PUBLIC. "PET  
22 STORE" DOES NOT INCLUDE AN ANIMAL SHELTER, PET ANIMAL RESCUE, CAT  
23 BREEDER, OR DOG BREEDER.

24 (11.7) "SALE" OR "SELL" MEANS THE EXCHANGE OF A PET ANIMAL  
25 FOR ANYTHING OF VALUE, INCLUDING PROPERTY OR MONEY. "SALE" OR  
26 "SELL" DOES NOT INCLUDE AN ADOPTION TRANSACTION BETWEEN AN  
27 ANIMAL SHELTER OR PET ANIMAL RESCUE AND A PERSON WHO ADOPTS A

1 PET ANIMAL.

2 SECTION 3. In Colorado Revised Statutes, add 35-80-108.5 as  
3 follows:

4 35-80-108.5. Dog breeders and cat breeders - pet stores -  
5 prohibited sales and purchases of dogs or cats - short title. (1) THE  
6 SHORT TITLE OF THIS SECTION IS THE "PET STORE CONSUMER PROTECTION  
7 ACT".

8 (2) ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, A PET  
9 STORE THAT:

10 (a) EXISTED PRIOR TO THE EFFECTIVE DATE OF THIS SECTION, BUT  
11 WAS NOT LICENSED BY THE COMMISSIONER PRIOR TO THE EFFECTIVE DATE  
12 OF THIS SECTION TO SELL OR OFFER FOR SALE DOGS OR CATS, SHALL NOT  
13 SELL OR OFFER FOR SALE DOGS OR CATS; OR

14 (b) DID NOT EXIST PRIOR TO THE EFFECTIVE DATE OF THIS SECTION  
15 SHALL NOT SELL OR OFFER FOR SALE DOGS OR CATS.

16 (3) A PET STORE THAT WAS LICENSED BY THE COMMISSIONER  
17 PRIOR TO THE EFFECTIVE DATE OF THIS SECTION TO SELL OR OFFER FOR  
18 SALE DOGS OR CATS MAY CONTINUE TO SELL OR OFFER FOR SALE DOGS OR  
19 CATS FROM THE SAME LOCATION ON OR AFTER THE EFFECTIVE DATE OF  
20 THIS SECTION. THE PET STORE SHALL:

21 (a) INCLUDE ON ALL ADVERTISEMENTS, INCLUDING WEBSITE  
22 POSTINGS, THE PURCHASE PRICE OF THE DOG OR CAT AND ANY APPLICABLE  
23 FEDERAL OR STATE LICENSE NUMBERS FOR THE BREEDER OF THE DOG OR  
24 CAT;

25 (b) POST ON THE ENCLOSURE OF EACH DOG OR CAT THE PURCHASE  
26 PRICE OF THE DOG OR CAT AND THE FOLLOWING INFORMATION ON THE  
27 DOG'S OR CAT'S BREEDER: FULL NAME; KENNEL NAME, IF APPLICABLE;

1 CITY; STATE; AND ANY APPLICABLE STATE OR FEDERAL LICENSE NUMBERS;  
2 AND

3 (c) DISCLOSE TO A PROSPECTIVE CONSUMER IN WRITING, PRIOR TO  
4 THE SALE OF A DOG OR CAT, THE FOLLOWING INFORMATION ABOUT THE  
5 DOG OR CAT:

6 (I) THE PURCHASE PRICE OF THE DOG OR CAT;

7 (II) THE INTEREST RATE OR RANGE ASSOCIATED WITH ANY  
8 FINANCING OR CREDIT CARD OFFERED TO THE PROSPECTIVE PURCHASER;  
9 AND

10 (III) ANY APPLICABLE FEDERAL OR STATE LICENSE NUMBERS AND  
11 AN UNREDACTED LIST OF ALL VIOLATIONS OF ANY FEDERAL OR STATE LAW  
12 THE DOG OR CAT BREEDER, BROKER, OR TRANSPORTER RECEIVED IN THE  
13 PREVIOUS TWO YEARS ON A FEDERAL OR STATE INSPECTION REPORT.

14 (4) NOTHING IN THIS SECTION PRECLUDES A STATUTORY OR HOME  
15 RULE TOWN, CITY, COUNTY, OR CITY AND COUNTY FROM ENACTING LAWS  
16 MORE STRINGENT THAN THE REQUIREMENTS OF THIS SECTION, INCLUDING  
17 A PROHIBITION ON THE SALE OR OFFER FOR SALE OF DOGS AND CATS.

18 **SECTION 4. Applicability.** This act applies to conduct occurring  
19 on or after the effective date of this act.

20 **SECTION 5. Safety clause.** The general assembly hereby finds,  
21 determines, and declares that this act is necessary for the immediate  
22 preservation of the public peace, health, or safety.