

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REREVISED

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

LLS NO. 21-0022.01 Yelana Love x2295

HOUSE BILL 21-1160

HOUSE SPONSORSHIP

Duran and Soper, Bernett, Bird, Hooton, Jodeh, McCormick, Valdez A.

SENATE SPONSORSHIP

Ginal and Coram,

House Committees

Agriculture, Livestock, & Water

Senate Committees

Agriculture & Natural Resources

A BILL FOR AN ACT

101 **CONCERNING THE CARE OF PET ANIMALS IN THE CUSTODY OF CERTAIN**
102 **PET ANIMAL FACILITIES.**

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 specifies the standard of care that each animal shelter and pet animal rescue is required to provide each dog and cat held in its custody.

The bill also allows an animal shelter and pet animal rescue to dispose of each dog and cat in its custody only by adopting the animal out, returning the animal to its owner, or transferring the animal 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.

SENATE
3rd Reading Unamended
April 28, 2021

SENATE
Amended 2nd Reading
April 27, 2021

HOUSE
3rd Reading Unamended
March 26, 2021

HOUSE
Amended 2nd Reading
March 25, 2021

another animal shelter or pet animal rescue if the animal:

- Exhibits no signs of illness or injury or exhibits only signs of illness or injury for which there is a realistic prognosis for a good quality of life; and
- Has not exhibited behavior that is likely to result in bodily injury or death to another animal or human being.

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

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

4 (a) The citizens of Colorado value pet animals and have an
5 expectation that pet animals will be treated with respect and consideration
6 at all times;

7

8 (b) A dog's or cat's quality of life and health includes mental and
9 emotional well-being as well as physical health; and

10

11 (c) Colorado's goal is to create the best outcomes for homeless
12 dogs and cats.

13 (2) The general assembly declares that it is necessary and
14 appropriate to protect animals by establishing socially conscious
15 sheltering practices in Colorado.

16 **SECTION 2.** In Colorado Revised Statutes, **add** 35-80-106.6 as
17 follows:

18 **35-80-106.6. Care of dogs and cats in animal shelters and pet**
19 **animal rescues - legislative declaration - requirements.** (1) THE
20 GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT HOMELESS
21 DOGS AND CATS, OTHER THAN CATS THAT WERE NOT SOCIALIZED TO
22 PEOPLE DURING THEIR BEHAVIORAL DEVELOPMENT AND THEREFORE DO

1 NOT ALLOW THEMSELVES TO BE HANDLED, DESERVE APPROPRIATE
2 SHELTER, CARE, AND ENRICHMENT BY ANIMAL SHELTERS AND PET ANIMAL
3 RESCUES.

4 (2) EACH ANIMAL SHELTER AND PET ANIMAL RESCUE SHALL
5 PROVIDE EACH DOG AND CAT HELD IN ITS CUSTODY WITH TIMELY
6 VETERINARY CARE TO ADDRESS AND PREVENT UNNECESSARY OR
7 UNJUSTIFIABLE PAIN AND SUFFERING.

8 (3) EACH ANIMAL SHELTER AND PET ANIMAL RESCUE SHALL
9 ADDRESS THE BEHAVIORAL NEEDS OF EACH DOG AND CAT HELD IN ITS
10 CUSTODY TO ENSURE THAT THE DOG OR CAT IS NOT HOUSED OR KEPT IN A
11 MANNER THAT FOSTERS STEREOTYPIC OR SELF-MUTILATING BEHAVIOR.

12 (4) NOTHING IN THIS SECTION LIMITS OTHER AVAILABLE
13 POTENTIAL LIVE OUTCOMES FOR DOGS OR CATS IN THE CUSTODY OF AN
14 ANIMAL SHELTER OF PET ANIMAL RESCUE.

15 **SECTION 3.** In Colorado Revised Statutes, 35-80-108, **amend**
16 **(1) introductory portion, (1)(l), and (1)(m); and add (1)(n) as follows:**

17 **35-80-108. Unlawful acts.** (1) **Unless otherwise authorized by**
18 **law, it is unlawful and a violation of this ~~article~~ ARTICLE 80 for any**
19 **person or entity:**

20 (l) **To sell, transfer, or adopt guinea pigs, hamsters, or rabbits**
21 **under the age of four weeks, and such other pet animal species as may be**
22 **specified by the commissioner; and**

23 (m) **To alter or falsify any certificate of veterinary inspection or**
24 **any other certificate of veterinary health; AND**

25 (n) **TO IMPORT OR CAUSE TO BE IMPORTED ANY DOG OR CAT FOR**
26 **THE PURPOSE OF SALE BY A PET ANIMAL FACILITY, UNLESS THE DOG OR**
27 **CAT HAS A CERTIFICATE OF VETERINARY HEALTH AND, IF THE DOG OR CAT**

1 IS OVER SIX MONTHS OLD, PROOF OF A RABIES VACCINATION.

2 **SECTION 4. Act subject to petition - effective date.** This act
3 takes effect at 12:01 a.m. on the day following the expiration of the
4 ninety-day period after final adjournment of the general assembly; except
5 that, if a referendum petition is filed pursuant to section 1 (3) of article V
6 of the state constitution against this act or an item, section, or part of this
7 act within such period, then the act, item, section, or part will not take
8 effect unless approved by the people at the general election to be held in
9 November 2022 and, in such case, will take effect on the date of the
10 official declaration of the vote thereon by the governor.