



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

# Final Fiscal Note

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<b>Drafting Number:</b>	LLS 21-0022	<b>Date:</b>	September 17, 2021
<b>Prime Sponsors:</b>	Rep. Duran; Soper Sen. Ginal	<b>Bill Status:</b>	Signed into Law
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**Bill Topic:** CARE OF DOGS & CATS IN PET ANIMAL FACILITIES

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**Summary of Fiscal Impact:**

<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input checked="" type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

This bill establishes a standard of care that each animal shelter and pet animal rescue must provide each dog and cat in its custody. It requires that a dog or cat imported for sale by a pet animal facility have a certificate of veterinary health and if over 6 months old, proof of a rabies vaccination. It may increase state revenue, will increase state workload, and may increase local government expenditures on an ongoing basis.

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**Appropriation Summary:** No appropriation is required.

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**Fiscal Note Status:** The fiscal note reflects the enacted bill.

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## Summary of Legislation

This bill requires each animal shelter and pet animal rescue to:

- provide each dog and cat in its custody with timely veterinary care; and
- address the behavioral needs of each dog and cat.

It also makes it unlawful for the importation of a dog or cat for the purpose of sale by a pet animal facility unless the dog or cat has a certificate of veterinary health, and if the dog or cat is over 6 months old, proof of a rabies vaccination.

## Background

The Department of Agriculture (CDA) administers the Pet Animal Care Facilities Act (PACFA) program which regulates pet animal breeders, groomers, trainers, boarders, shelters, rescues, transporters, sporting, recreational, exhibitors, and sellers. The Commissioner of Agriculture promulgates rules pertaining to minimum standards of physical facility, sanitation, ventilation, temperature, humidity, spatial and enclosure requirements, nutrition, humane care, disease control,

and medical treatment. The Division of Inspection and Consumer Services in the CDA conducts four types of inspections: pre-license, routine, complaint-based, and follow-up. When violations are noted during an inspection, licensees are expected to correct them. The CDA currently has 8.0 FTE for licensing and inspection of 2,300 facilities statewide.

## Revenue

The bill may increase revenue from fines for violations. These will be deposited in the General Fund and are subject to TABOR.

## State Expenditures

The CDA will have an increase in workload to monitor the new requirements when conducting facility inspections and address complaints. This will require training for staff on the new requirements. This workload increase can be accomplished within existing appropriations.

**TABOR refunds.** The bill is may increase the amount of state revenue required to be refunded to taxpayers by a minimal amount. TABOR refunds are paid from the General Fund. This estimate is based on the June 2021 LCS revenue forecast, which incorporates the revenue impacts of bills passed during the 2021 session. A forecast of state revenue subject to TABOR is not available beyond FY 2022-23.

**Federal ARPA funds.** This bill may increase state revenue, which may impact the state's flexibility in spending federal American Rescue Plan Act (ARPA) funds. For more information, see the LCS memo, titled "Legislative Changes and Flexibility in Use of American Rescue Plan Funds," available online at: <https://leg.colorado.gov/node/2211881>.

## Local Government

Local governments that operate animal shelters that do not currently meet the requirements in the bill will have an increase in workload, and possibly costs, to implement the bill. The amount of workload and costs will depend on the differences between a shelter's current operations and outcomes required under the bill. Shelters could see increased costs for veterinary care, staffing, and facilities.

## Effective Date

The bill was signed into law by the Governor on May 21, 2021, and it took effect on September 7, 2021.

## State and Local Government Contacts

Agriculture

Counties

Information Technology

Municipalities

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The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit: [leg.colorado.gov/fiscalnotes](https://leg.colorado.gov/fiscalnotes).