

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Agriculture & Natural Resources.

SB20-125 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1.** In Colorado Revised Statutes, **add** 33-1-126 as
4 follows:

5 **33-1-126. Prohibiting certain animals in a traveling animal act**
6 **- short title - definitions.** (1) THE SHORT TITLE OF THIS SECTION IS THE
7 "TRAVELING EXOTIC ANIMAL SAFETY PROTECTION ACT".

8 (2) FOR PURPOSES OF THIS SECTION, UNLESS THE CONTEXT
9 OTHERWISE REQUIRES:

10 (a) "CAUSE A PERFORMANCE" MEANS TO ALLOW FOR THE
11 PARTICIPATION OF AN ANIMAL IN A PERFORMANCE, TO BE RESPONSIBLE
12 FOR A PERFORMANCE, TO FINANCIALLY BENEFIT AS AN OWNER OR
13 OPERATOR FROM A PERFORMANCE, TO FINANCIALLY BENEFIT AS A PERSON
14 WHO OWNS OR CONTROLS A PROPERTY USED FOR A PERFORMANCE, OR TO
15 USE ANY MEANS OF COMMUNICATION FOR THE PURPOSE OF PROMOTING A
16 PERFORMANCE ON BEHALF OF THE OWNER OR OPERATOR OF A
17 PERFORMANCE OR THE VENUE FOR A PERFORMANCE.

18 (b) "ENVIRONMENTAL EDUCATION PROGRAM" MEANS AN ANIMAL
19 EXHIBITION THAT:

20 (I) IS DESIGNED BY A PROFESSIONAL TO IMPART KNOWLEDGE OR
21 INFORMATION FOR EDUCATIONAL OR CONSERVATION PURPOSES ABOUT
22 ONE OR MORE ANIMALS' NATURAL BEHAVIOR, HABITAT, LIFE CYCLE, OR
23 SIMILAR PEDAGOGICAL INFORMATION;

24 (II) IS CONDUCTED BY AN INDIVIDUAL QUALIFIED TO IMPART SUCH
25 INFORMATION; AND

26 (III) DOES NOT INCLUDE ANY PERFORMANCE OF BEHAVIOR BY AN
27 ANIMAL THAT DOES NOT NATURALLY OCCUR FOR THAT ANIMAL IN THE
28 WILD STATE, EXCEPT FOR INDUSTRY-STANDARD HUSBANDRY PRACTICES
29 FOR VETERINARY PURPOSES.

30 (c) "PERFORMANCE" MEANS ANY ANIMAL ACT, CIRCUS, RIDE,
31 CARNIVAL, PARADE, RACE, PERFORMANCE, OR SIMILAR UNDERTAKING IN
32 WHICH ANIMALS ARE:

33 (I) REQUIRED TO PERFORM TRICKS, GIVE RIDES, OR PARTICIPATE AS
34 ACCOMPANIMENTS FOR THE ENTERTAINMENT, AMUSEMENT, OR BENEFIT
35 OF AN AUDIENCE; OR

36 (II) USED PRIMARILY FOR PHOTOGRAPHIC PURPOSES.

37 (d) "TRAVELING ANIMAL ACT" MEANS ANY PERFORMANCE OF AN
38 ANIMAL WHERE THE ANIMAL IS TRANSPORTED TO, FROM, OR BETWEEN
39 LOCATIONS FOR THE PURPOSE OF THE PERFORMANCE.

40 (3) EXCEPT AS PROVIDED IN SUBSECTION (4) OF THIS SECTION, A

1 PERSON SHALL NOT CAUSE A PERFORMANCE OF THE FOLLOWING ANIMALS,
2 INCLUDING HYBRIDS OF THE FOLLOWING ANIMALS, WHETHER WILD-BORNE
3 OR CAPTIVE-BRED, IN A TRAVELING ANIMAL ACT:

- 4 (a) CETARTIODACTYLA OTHER THAN BISON, CATTLE, DEER, ELK,
5 GOATS, REINDEER, SWINE, AND SHEEP;
- 6 (b) FELIDAE OTHER THAN DOMESTIC CATS;
- 7 (c) WILD CANIDAE OTHER THAN DOMESTIC DOGS;
- 8 (d) MARSUPIALIA;
- 9 (e) NONHUMAN PRIMATES;
- 10 (f) PERISSODACTYLA OTHER THAN HORSES, DONKEYS, AND MULES;
- 11 (g) PINNIPEDIA;
- 12 (h) PROBOSCIDEA;
- 13 (i) RATITES;
- 14 (j) SPHENISCIDAE; AND
- 15 (k) URSIDAE.

16 (4) THIS SECTION DOES NOT PROHIBIT THE USE OF AN ANIMAL
17 SPECIFIED IN SUBSECTION (3) OF THIS SECTION:

- 18 (a) IN AN EXHIBITION AT A:
 - 19 (I) WILDLIFE SANCTUARY; OR
 - 20 (II) NONMOBILE, PERMANENT INSTITUTION, FACILITY, ZOO, OR
21 AQUARIUM ACCREDITED BY THE ASSOCIATION OF ZOOS AND AQUARIUMS
22 OR THE GLOBAL FEDERATION OF ANIMAL SANCTUARIES, OR ANY
23 SUCCESSOR ORGANIZATIONS;
- 24 (b) IF THE ANIMAL IS LIVESTOCK, AS DEFINED IN SECTION
25 35-80-102 (9), OR ALTERNATIVE LIVESTOCK, AS DEFINED IN SECTION
26 35-41.5-102 (1);
- 27 (c) AS PART OF AN ENVIRONMENTAL EDUCATION PROGRAM IF:
 - 28 (I) THE ANIMAL IS NOT USED MORE THAN SIX MONTHS IN A
29 CALENDAR YEAR; AND
 - 30 (II) THE ANIMAL IS NOT KEPT IN A VEHICLE FOR MORE THAN
31 TWELVE HOURS A DAY, WHEN THE VEHICLE IS USED TO TRANSPORT OR
32 HOUSE THE ANIMAL WHILE TRAVELING TO, FROM, OR BETWEEN LOCATIONS
33 FOR PERFORMANCE PURPOSES; OR
- 34 (d) BY A UNIVERSITY, COLLEGE, LABORATORY, OR OTHER
35 RESEARCH FACILITY PROPERLY LICENSED OR REGISTERED UNDER THE
36 FEDERAL "ANIMAL WELFARE ACT OF 1970", 7 U.S.C. SEC. 2131 ET SEQ.,
37 AS AMENDED, FOR THE PURPOSE OF CONDUCTING RESEARCH.

38 (5) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
39 MISDEMEANOR AND SHALL BE PUNISHED UPON CONVICTION BY A FINE OF
40 NOT LESS THAN TWO HUNDRED FIFTY DOLLARS AND NOT MORE THAN ONE
41 THOUSAND DOLLARS PER VIOLATION.

42 **SECTION 2. Act subject to petition - effective date -**
43 **applicability.** (1) This act takes effect July 1, 2021; except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the
2 state constitution against this act or an item, section, or part of this act
3 within the ninety-day period after final adjournment of the general
4 assembly, then the act, item, section, or part will not take effect unless
5 approved by the people at the general election to be held in November
6 2020 and, in such case, will take effect July 1, 2021.

7 (2) This act applies to offenses committed on or after the
8 applicable effective date of this act.".

9 Page 1, line 101, after "OF" insert "CERTAIN".

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