

First Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 19-0352.01 Jery Payne x2157

SENATE BILL 19-150

SENATE SPONSORSHIP

Donovan and Sonnenberg, Coram

HOUSE SPONSORSHIP

Buentello,

Senate Committees

Agriculture & Natural Resources

House Committees

A BILL FOR AN ACT

101 CONCERNING THE CONTINUATION OF THE REGULATION OF PUBLIC
102 LIVESTOCK MARKETS, AND, IN CONNECTION THEREWITH,
103 IMPLEMENTING THE RECOMMENDATIONS CONTAINED IN THE
104 2018 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY
105 AGENCIES.

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/>.)

Sunset Process - Senate Agriculture and Natural Resources Committee. Sections 1 and 2 of the bill continue the regulation of public

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.

livestock markets until 2034.

Current law requires an applicant for a license to operate a public livestock market to prove financial stability, business integrity, and fiduciary responsibility and to provide a statement of assets and liability. **Section 3** repeals these provisions.

Current law requires a licensed livestock market to meet several size and premises standards. **Section 4** replaces this with a requirement that a premises have adequate facilities necessary to operate a public livestock market.

Sections 5 and 6 repeal provisions that imply that the state board of stock inspection commissioners regulate the sanitation of public livestock markets.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-104, **repeal**
3 (16)(a)(II); and **add** (35) as follows:

4 **24-34-104. General assembly review of regulatory agencies**
5 **and functions for repeal, continuation, or reestablishment - legislative**
6 **declaration - repeal.** (16) (a) The following agencies, functions, or both,
7 will repeal on July 1, 2019:

8 (II) ~~The licensing of public livestock markets in accordance with~~
9 ~~article 55 of title 35, C.R.S.;~~

10 (35) (a) THE FOLLOWING AGENCIES, FUNCTIONS, OR BOTH, ARE
11 SCHEDULED FOR REPEAL ON SEPTEMBER 1, 2034:

12 (I) THE LICENSING OF PUBLIC LIVESTOCK MARKETS IN
13 ACCORDANCE WITH ARTICLE 55 OF TITLE 35.

14 (b) THIS SUBSECTION (35) IS REPEALED, EFFECTIVE SEPTEMBER 1,
15 2036.

16 **SECTION 2.** In Colorado Revised Statutes, **amend** 35-55-119 as
17 follows:

18 **35-55-119. Termination of functions - repeal of article.** This
19 ~~article~~ ARTICLE 55 is repealed, effective ~~July 1, 2019.~~ Prior to the

1 SEPTEMBER 1, 2034. BEFORE THE repeal, the licensing functions shall be
2 reviewed as provided for in OF PUBLIC LIVESTOCK MARKETS IS
3 SCHEDULED FOR REVIEW IN ACCORDANCE WITH section 24-34-104. C.R.S.

4 **SECTION 3.** In Colorado Revised Statutes, 35-55-102, **amend**
5 (1) introductory portion and (1)(b); and **repeal** (1)(f) as follows:

6 **35-55-102. License requirements.** (1) Any person, partnership,
7 or corporation may procure a license to establish and operate, for a term
8 of one year, a public livestock market within the state of Colorado by
9 making written application to the state board of stock inspection
10 commissioners. ~~which~~ THE application shall MUST provide the following:

11 (b) PROOF OF financial responsibility of the applicant in the form
12 ~~of a statement of all assets and liabilities~~ AND AMOUNT REQUIRED BY THE
13 STATE BOARD OF STOCK INSPECTION COMMISSIONERS IN ACCORDANCE
14 WITH SECTION 35-55-104 OR AS SET FORTH IN THE FEDERAL "PACKERS
15 AND STOCKYARDS ACT, 1921", 7 U.S.C. SEC. 181 ET SEQ., AS AMENDED;

16 (f) ~~Proof of the financial stability, business integrity, and fiduciary~~
17 ~~responsibility of the applicant.~~

18 **SECTION 4.** In Colorado Revised Statutes, 35-55-102, **amend**
19 (3) as follows:

20 **35-55-102. License requirements.** (3) ~~Before an application for~~
21 ~~license is approved~~ TO QUALIFY FOR A LICENSE, the applicant shall MUST
22 prove ownership OF or control by lease of ~~not less than six thousand~~
23 ~~square feet of holding pens including ample sorting and handling alleys,~~
24 ~~not less than ten feet wide with at least three gates in each alley that will~~
25 ~~fasten across the alley; ample pens and sheds for holding and handling~~
26 ~~sheep and hogs; and at least two adequate-sized pens with connecting~~
27 ~~alley and usable chute for use by state and federal livestock sanitary~~

1 ~~inspectors~~ A FACILITY THAT IS ADEQUATE AS DETERMINED BY AN
2 AUTHORIZED BRAND INSPECTOR TO HOLD, HANDLE, SORT, AND INSPECT
3 LIVESTOCK.

4 **SECTION 5.** In Colorado Revised Statutes, 35-55-107, **amend**
5 (1) introductory portion and (1)(d) as follows:

6 **35-55-107. Discipline of licensees.** (1) Any violation of the
7 provisions of this ~~article~~ ARTICLE 55 or of any rule adopted and published
8 by the state board of stock inspection commissioners ~~shall be~~ IS deemed
9 sufficient cause for the state board of stock inspection commissioners to
10 revoke or suspend the license of the offending operator of ~~such~~ THE
11 public livestock market or to place on probation ~~such~~ THE licensee, and
12 the following ~~shall also be~~ ARE specific grounds for the imposition of any
13 of the disciplinary actions specified in this introductory portion:

14 (d) ~~If the state board of stock inspection commissioners finds that~~
15 ~~the licensee has failed or refused to practice measures of sanitation and~~
16 ~~inspection as are required by this article or by rule or regulation of the~~
17 ~~state board of stock inspection commissioners made pursuant thereto~~
18 REQUIRED BY LAW concerning premises or vehicles used for the stabling,
19 yarding, housing, holding, or transporting of animals in the operation of
20 ~~his~~ THE LICENSEE'S public livestock market;

21 **SECTION 6.** In Colorado Revised Statutes, **amend** 35-55-109 as
22 follows:

23 **35-55-109. Sanitary conditions.** Every public livestock market
24 shall be maintained in a sanitary condition. ~~and cleaned and disinfected~~
25 ~~under the supervision of a veterinarian authorized by the state board of~~
26 ~~stock inspection commissioners when necessary.~~

27 **SECTION 7. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.