

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 20-0463.01 Yelana Love x2295

SENATE BILL 20-164

SENATE SPONSORSHIP

Ginal and Fields, Fenberg, Story, Tate

HOUSE SPONSORSHIP

Duran and Valdez A.,

Senate Committees

Agriculture & Natural Resources

House Committees

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 requires each animal shelter and pet animal rescue to adopt out each dog and cat in its custody, return the animal to its owner, or transfer it to another animal shelter or pet animal rescue if the dog or

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
February 26, 2020

SENATE
2nd Reading Unamended
February 25, 2020

cat:

- ! Exhibits no signs of illness or injury or exhibits signs of illness or injury for which there is a realistic prognosis for a good quality of life;
- ! Demonstrates a willingness to interact socially with humans; 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 hereby 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 (b) Colorado is shaping the future of animal welfare by ensuring
8 that there is a safe place for every homeless dog and cat and to make sure
9 that every dog and cat receives appropriate food, water, shelter, medical
10 care, and enrichment;

11 (c) It is the established practice in Colorado that no healthy, safe,
12 and social dog or cat is euthanized solely based on the amount of time the
13 animal is held by or in the custody of an animal shelter or pet animal
14 rescue or limitations on sufficient space available to house the animal
15 while the animal is being held by or in the custody of an animal shelter or
16 pet animal rescue;

17 (d) Colorado has a vigorous, collaborative, and well-organized
18 intrastate transfer program to implement this practice, resulting in the
19 opportunity for all healthy, safe, and social dogs and cats to be placed in
20 the community;

21 (e) A dog's or cat's quality of life and health includes mental and

1 emotional well-being as well as physical health;

2 (f) The citizens of Colorado also have a reasonable expectation
3 that dangerous dogs and cats will not be placed into the community by
4 animal shelters or pet animal rescues; and

5 (g) Colorado's goal is to create the best outcomes for homeless
6 dogs and cats and for the community by placing in the community dogs
7 and cats that are healthy and do not constitute a danger to people, other
8 animals, or the community.

9 (2) The general assembly declares that it is necessary and
10 appropriate to protect animals and people by establishing the "Colorado
11 Socially Conscious Sheltering Act".

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

14 **35-80-106.6. Care of dogs and cats held by or in the custody**
15 **of animal shelters and pet animal rescues - short title - legislative**
16 **declaration.** (1) THE SHORT TITLE OF THIS SECTION IS THE "COLORADO
17 SOCIALLY CONSCIOUS SHELTERING ACT".

18 (2) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES
19 THAT EVERY HOMELESS DOG AND CAT DESERVES APPROPRIATE SHELTER,
20 CARE, AND ENRICHMENT, AND THAT DOGS AND CATS THAT ARE HEALTHY,
21 SAFE, AND SOCIAL SHOULD BE PLACED INTO THE COMMUNITY BY ANIMAL
22 SHELTERS AND PET ANIMAL RESCUES.

23 (3) EACH ANIMAL SHELTER AND PET ANIMAL RESCUE SHALL
24 PROVIDE EACH DOG AND CAT HELD IN ITS CUSTODY WITH TIMELY
25 VETERINARY CARE TO ADDRESS AND PREVENT UNNECESSARY OR
26 UNJUSTIFIABLE PAIN AND SUFFERING.

27 (4) EACH ANIMAL SHELTER AND PET ANIMAL RESCUE SHALL

1 ADDRESS THE BEHAVIORAL NEEDS OF EACH DOG AND CAT HELD IN ITS
2 CUSTODY TO ENSURE THAT THE DOG OR CAT IS NOT HOUSED OR KEPT IN A
3 MANNER THAT FOSTERS OBSESSIVE-COMPULSIVE OR SELF-MUTILATING
4 BEHAVIOR.

5 (5) EACH ANIMAL SHELTER AND PET ANIMAL RESCUE SHALL ADOPT
6 OUT EACH DOG AND CAT IN ITS CUSTODY, RETURN THE ANIMAL TO ITS
7 OWNER, OR TRANSFER IT TO ANOTHER ANIMAL SHELTER OR PET ANIMAL
8 RESCUE IF THE DOG OR CAT:

9 (a) (I) EXHIBITS NO SIGNS OF ILLNESS OR INJURY; OR

10 (II) EXHIBITS SIGNS OF ILLNESS OR INJURY FOR WHICH THERE IS A
11 REALISTIC PROGNOSIS FOR A GOOD QUALITY OF LIFE;

12 (b) DEMONSTRATES A WILLINGNESS TO INTERACT SOCIALLY WITH
13 HUMANS; AND

14 (c) HAS NOT EXHIBITED BEHAVIOR THAT IS LIKELY TO RESULT IN
15 BODILY INJURY OR DEATH TO ANOTHER ANIMAL OR HUMAN BEING.

16 **SECTION 3. Act subject to petition - effective date.** This act
17 takes effect at 12:01 a.m. on the day following the expiration of the
18 ninety-day period after final adjournment of the general assembly (August
19 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
20 referendum petition is filed pursuant to section 1 (3) of article V of the
21 state constitution against this act or an item, section, or part of this act
22 within such period, then the act, item, section, or part will not take effect
23 unless approved by the people at the general election to be held in
24 November 2020 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.