

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 24-0420.01 Pierce Lively x2059

HOUSE BILL 24-1033

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Senate Committees

Local Government & Housing

A BILL FOR AN ACT

101 **CONCERNING THE NEEDS OF AN INDIVIDUAL WITH AN ANIMAL DURING**
102 **AN EMERGENCY, AND, IN CONNECTION THEREWITH, ADAPTING**
103 **EMERGENCY MANAGEMENT PLANS TO ADDRESS THE NEEDS OF**
104 **AN INDIVIDUAL WITH AN ANIMAL DURING AN EMERGENCY AND**
105 **THAT LOCAL GOVERNMENTS MAKE CERTAIN INFORMATION**
106 **PUBLICLY AVAILABLE RELATING TO AN INDIVIDUAL WITH AN**
107 **ANIMAL DURING AN EMERGENCY.**

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/>.)

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
3rd Reading Unamended
February 15, 2024

HOUSE
Amended 2nd Reading
February 14, 2024

Wildfire Matters Review Committee. The bill strongly encourages a locally defined or interjurisdictional emergency management plan amended or created on or after July 1, 2024, to address the needs of an individual with an animal during an emergency by:

- Including provisions for the evacuation, shelter, and transport of an individual with an animal and that animal; and
- Requiring, to the extent practicable, that at least one shelter established during an emergency is designated to accommodate an individual with an animal and that animal.

The bill also strongly encourages a city, county, or city and county to make available to the public information for animal emergency preparedness, including:

- Information for creating an evacuation plan and emergency checklist for individuals with animals consistent with recommendations publicly published by the United States department of agriculture and the federal emergency management agency;
- Local organizations that may provide emergency animal assistance; and
- Local emergency shelters, cooling centers, or warming centers, when active, that can accommodate an individual with an animal.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-33.5-707, **add**
3 (8.5) as follows:

4 **24-33.5-707. Local and interjurisdictional emergency**
5 **management agencies and services - definition.** (8.5) (a) (I) A
6 LOCALLY DEFINED OR INTERJURISDICTIONAL EMERGENCY MANAGEMENT
7 PLAN AMENDED OR CREATED PURSUANT TO SUBSECTION (8) OF THIS
8 SECTION ON OR AFTER JULY 1, 2024, BUT BEFORE JANUARY 1, 2025, IS
9 STRONGLY ENCOURAGED TO, AND ON OR AFTER JANUARY 1, 2025, MUST
10 WHEN PRACTICABLE, ADDRESS THE NEEDS OF AN INDIVIDUAL WITH AN
11 ANIMAL DURING AN EMERGENCY BY:

1 (A) INCLUDING PROVISIONS FOR THE EVACUATION, SHELTER, AND
2 TRANSPORT OF AN INDIVIDUAL WITH AN ANIMAL AND THAT ANIMAL; AND

3 (B) REQUIRING, TO THE EXTENT PRACTICABLE, THAT AT LEAST
4 ONE SHELTER ESTABLISHED DURING AN EMERGENCY IS DESIGNATED TO
5 ACCOMMODATE AN INDIVIDUAL WITH AN ANIMAL AND THAT ANIMAL.

6 (II) IN ORDER TO DETERMINE WHETHER IT IS PRACTICABLE FOR A
7 LOCALLY DEFINED OR INTERJURISDICTIONAL EMERGENCY MANAGEMENT
8 PLAN TO ADDRESS THE ELEMENTS DESCRIBED IN SUBSECTION (8.5)(a)(I) OF
9 THIS SECTION, AMONG OTHER FACTORS, THE FOLLOWING MUST BE
10 CONSIDERED ABOUT THE AREA SUBJECT TO A LOCALLY DEFINED OR
11 INTERJURISDICTIONAL EMERGENCY MANAGEMENT PLAN:

12 (A) THE QUALITY AND QUANTITY OF SHELTER FACILITIES;

13 (B) THE AVAILABILITY OF STAFF AND VOLUNTEER PERSONNEL TO
14 IMPLEMENT THE LOCALLY DEFINED OR INTERJURISDICTIONAL EMERGENCY
15 MANAGEMENT PLAN ELEMENTS DESCRIBED IN SUBSECTION (8.5)(a)(I) OF
16 THIS SECTION; AND

17 (C) WHETHER THERE IS EMERGENCY TRANSPORTATION AVAILABLE
18 TO ACCOMMODATE AN INDIVIDUAL WITH AN ANIMAL.

19 (III) NOTHING IN THIS SUBSECTION (8.5)(a) MAY BE CONSTRUED
20 AS LOWERING THE PROTECTIONS FOR PEOPLE WITH DISABILITIES,
21 INCLUDING THE RIGHT TO REMAIN WITH A SERVICE ANIMAL IN ANY
22 EMERGENCY SHELTER, PROVIDED BY THE FEDERAL "AMERICANS WITH
23 DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AS AMENDED,
24 AND PARTS 6 AND 8 OF ARTICLE 34 OF THIS TITLE 24.

25 (IV) THE ADMINISTRATOR OR MANAGER OF ANY SHELTER
26 DESIGNATED PURSUANT TO SUBSECTION (8.5)(a)(I)(B) OF THIS SECTION
27 HAS THE AUTHORITY TO DENY ACCESS TO THE FACILITY TO ANY ANIMAL

1 THAT THE ADMINISTRATOR OR MANAGER DEEMS UNSAFE, UNSANITARY, OR
2 CONTRARY TO THE GOOD WORKING ORDER OF THE FACILITY, SO LONG AS
3 SUCH A DETERMINATION IS MADE ON AN INDIVIDUAL ANIMAL BASIS AND
4 NOT ON THE BASIS OF AN ANIMAL'S BREED.

5 (b) ON OR AFTER JANUARY 1, 2025, A CITY, COUNTY, OR CITY AND
6 COUNTY IS STRONGLY ENCOURAGED TO MAKE AVAILABLE TO THE PUBLIC
7 INFORMATION FOR ANIMAL EMERGENCY PREPAREDNESS, INCLUDING:

8 (I) INFORMATION FOR CREATING AN EVACUATION PLAN AND
9 EMERGENCY CHECKLIST FOR INDIVIDUALS WITH ANIMALS CONSISTENT
10 WITH RECOMMENDATIONS PUBLICLY PUBLISHED BY THE UNITED STATES
11 DEPARTMENT OF AGRICULTURE AND THE FEDERAL EMERGENCY
12 MANAGEMENT AGENCY;

13 (II) LOCAL ORGANIZATIONS THAT MAY PROVIDE EMERGENCY
14 ANIMAL ASSISTANCE; AND

15 (III) LOCAL EMERGENCY SHELTERS, COOLING CENTERS, OR
16 WARMING CENTERS, WHEN ACTIVE, THAT CAN ACCOMMODATE AN
17 INDIVIDUAL WITH AN ANIMAL.

18 (c) ON OR AFTER JANUARY 1, 2025, A CITY, COUNTY, OR CITY AND
19 COUNTY IS STRONGLY ENCOURAGED TO CONDUCT DISABILITY ETIQUETTE
20 AND SERVICE ANIMAL TRAINING PROVIDED BY, OR WITH GUIDANCE FROM,
21 THE RELEVANT INDEPENDENT LIVING CENTER OR OTHER RELEVANT
22 TRAINING PROVIDER TO ENSURE THAT EMERGENCY RESPONSE PERSONNEL
23 ARE WELL PREPARED TO INTERACT WITH INDIVIDUALS WITH DISABILITIES
24 AND THEIR SERVICE ANIMALS DURING EMERGENCY SITUATIONS.

25 (d) AS USED IN THIS SUBSECTION (8.5), UNLESS THE CONTEXT
26 OTHERWISE REQUIRES, "ANIMAL" MEANS BOTH:

27 (I) A DOMESTICATED ANIMAL, SUCH AS A DOG OR CAT, THAT IS

1 COMMONLY KEPT IN THE HOME FOR PLEASURE RATHER THAN FOR
2 COMMERCIAL PURPOSES; AND

3 (II) A "SERVICE ANIMAL", AS DEFINED IN SECTION 12-240-144
4 (4)(c).

5 **SECTION 2. Safety clause.** The general assembly finds,
6 determines, and declares that this act is necessary for the immediate
7 preservation of the public peace, health, or safety or for appropriations for
8 the support and maintenance of the departments of the state and state
9 institutions.