

CHAPTER 70

**PROFESSIONS AND OCCUPATIONS**

**HOUSE BILL 02-1087**

BY REPRESENTATIVE(S) Johnson, Alexander, Borodkin, Hefley, Hodge, Hoppe, Jahn, Kester, Mace, Miller, Ragsdale, Romanoff, Scott, Stafford, Tochtrop, Vigil, and Williams S.; also SENATOR(S) Taylor, Hernandez, and Isgar.

**AN ACT**

**CONCERNING THE PROVISION OF TEMPORARY VETERINARY SERVICES AT RACING OPERATIONS.**

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

**SECTION 1.** 12-60-705 (1), Colorado Revised Statutes, is amended to read:

**12-60-705. Payments to state - disposition.** (1) (a) Except as otherwise provided in PARAGRAPH (b) OF THIS SUBSECTION (1) AND IN sections 12-60-701, 12-60-702 (1), and 12-60-704, all sums referred to in sections 12-60-701, 12-60-702 (1), and 12-60-704, including all sums collected for license fees and fines pursuant to the provisions of this article shall be paid to the department of revenue through the division on the tenth business day of the month immediately following the month in which each performance took place, and the licensee shall make a return as required by rules of the commission.

(b) IN TEMPORARY OR EMERGENCY SITUATIONS, A LICENSED OPERATOR FOR THE RACING OF ANIMALS, WITH THE APPROVAL OF AND UNDER THE DIRECTION OF THE DIRECTOR OF THE DIVISION OR THE DIRECTOR'S DESIGNEE, MAY PROVIDE FOR VETERINARY SERVICES AS DESCRIBED IN SECTION 12-60-202 (3), AT THE LICENSED OPERATOR'S EXPENSE, AND THE EXPENSE THUS INCURRED MAY BE DEDUCTED FROM THE PAYMENT MADE TO THE DEPARTMENT IN ACCORDANCE WITH PARAGRAPH (a) OF THIS SUBSECTION (1); EXCEPT THAT THE AMOUNT DEDUCTED SHALL NOT EXCEED THE AMOUNT SET BY THE COMMISSION FOR SUCH VETERINARY SERVICES.

**SECTION 2.** 12-60-202 (3) (c), Colorado Revised Statutes, is amended to read:

**12-60-202. Director - qualifications - powers and duties.** (3) The director, as administrative head of the division, shall direct and supervise all administrative and

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

technical activities of the division. In addition to the duties imposed upon the director elsewhere in this article, it shall be the director's duty:

(c) To employ and direct such personnel as may be necessary to carry out the purposes of this article, but no person shall be employed who has been convicted of a felony or gambling-related offense, notwithstanding the provisions of section 24-5-101, C.R.S. The director by agreement may secure and provide payment for such services as the director may deem necessary from any department, agency, or unit of the state government and may employ and compensate such consultants and technical assistants as may be required and as otherwise permitted by law. Personnel employed by the director shall include but shall not be limited to a sufficient number of veterinarians, as defined in the "Colorado Veterinary Practice Act", article 64 of this title, so that at least one veterinarian employed by the director, OR BY THE OPERATOR, AS PROVIDED IN SECTION 12-60-705 (1), shall be present at every racetrack during weighing in of animals and at all times that racing is being conducted; and the director shall by rule authorize any such veterinarian to conduct physical examinations of animals, including without limitation blood and urine tests and other tests for the presence of prohibited drugs or medications, to ensure that the animals are in proper physical condition to race, to prohibit any animal from racing if it is not in proper physical condition to race, and to take other necessary and proper action to ensure the health and safety of racing animals and the fairness of races.

**SECTION 3. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: April 3, 2002