

## CHAPTER 345

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**HEALTH AND ENVIRONMENT**

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**HOUSE BILL 08-1308**

BY REPRESENTATIVE(S) Stafford, and Todd;  
also SENATOR(S) Johnson, and Tupa.

**AN ACT**

**CONCERNING TREATMENT THAT MAY RESULT IN HARM TO CERTAIN ANIMALS.**

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

**SECTION 1.** 25-4-607, Colorado Revised Statutes, is amended to read:

**25-4-607. Order of board of health requiring inoculation of animals.**

(1) (a) When it is deemed advisable in the interest of public health and safety, the board of health of an organized health department or a county board of health may order that all dogs, cats, other pet animals, or other mammals in the county or district be vaccinated against rabies, such vaccination to be performed by a licensed veterinarian.

(b) Notwithstanding the provisions of ~~this section, no~~ PARAGRAPH (a) OF THIS SUBSECTION (1), A board of health of an organized health department or A county board of health shall NOT order the inoculation of ~~animals~~ DOGS, CATS, OR FERRETS against rabies any more frequently than is recommended in the "Compendium of Animal Rabies Control" as promulgated by the national association of state public health veterinarians.

(2) A VETERINARIAN, WITH THE WRITTEN CONSENT OF AN ANIMAL'S OWNER, MAY ISSUE A WRITTEN WAIVER PURSUANT TO THE RULES OF THE HEALTH DEPARTMENT, EXEMPTING AN ANIMAL FROM A RABIES VACCINATION ORDER IF THE VETERINARIAN, IN HIS OR HER PROFESSIONAL OPINION, DETERMINES THAT THE RABIES INOCULATION IS CONTRAINDICATED DUE TO THE ANIMAL'S MEDICAL CONDITION.

(3) (a) THE EXECUTIVE DIRECTOR OF THE HEALTH DEPARTMENT SHALL ENACT RULES ALLOWING FOR THE EXEMPTION OF AN ANIMAL FROM A RABIES VACCINATION DUE TO THE MEDICAL CONDITION OF THE ANIMAL.

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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.*

(b) THE OWNER OF AN ANIMAL SEEKING AN EXEMPTION FROM A RABIES VACCINATION FOR HIS OR HER ANIMAL MUST PROVIDE THE VETERINARIAN WITH WRITTEN CONSENT FOR THE EXEMPTION.

(c) A VETERINARIAN SUPPLYING A WAIVER EXEMPTING AN ANIMAL FROM A RABIES VACCINATION, COUNTY AND MUNICIPAL HEALTH DEPARTMENTS, THEIR ASSISTANTS AND EMPLOYEES, THE HEALTH DEPARTMENT, HEALTH OFFICERS, AND ANYONE ENFORCING THIS PART 6 SHALL NOT BE LIABLE FOR ANY SUBSEQUENT ACCIDENT, DISEASE, INJURY, OR QUARANTINE THAT MAY OCCUR AS A RESULT OF AN ANIMAL EXEMPTED FROM A RABIES VACCINATION PURSUANT TO THE RULES OF THE HEALTH DEPARTMENT.

(4) A WAIVER EXECUTED PURSUANT TO THIS SECTION SHALL BE ACCEPTED AND RECOGNIZED BY ANY LOCAL OR REGIONAL AUTHORITY ISSUING LICENSES FOR THE OWNERSHIP OF ANIMALS.

**SECTION 2.** 25-4-615 (2), Colorado Revised Statutes, is amended to read:

**25-4-615. Further municipal restrictions not prohibited.** (2) Notwithstanding subsection (1) of this section, ~~no~~ A municipality shall NOT require ~~any animal~~ A DOG, CAT, OR FERRET to be inoculated against rabies any more frequently than is recommended in the "Compendium of Animal Rabies Control" as promulgated by the national association of state public health veterinarians, AND A VETERINARIAN MAY ISSUE A WRITTEN WAIVER EXEMPTING AN ANIMAL FROM A RABIES VACCINATION ORDER AS PROVIDED IN SECTION 25-4-607.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 29, 2008