

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 25-0411.02 Jed Franklin x5484

HOUSE BILL 25-1137

HOUSE SPONSORSHIP

Lindsay and Velasco,

SENATE SPONSORSHIP

(None),

House Committees

Agriculture, Water & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A PROGRAM FOR THE CARE OF COMMUNITY CATS.**

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 establishes a grant program to distribute money to encourage a pet animal facility, a pet animal rescue, and a spay and neuter organization located in Colorado (animal welfare facility) to trap, neuter, and return to its habitat a free-roaming domestic cat that may have a caretaker and is not socialized to humans (community cat). The adopt a shelter pet account in the pet overpopulation fund (account) provides the funding for the grant program. The Colorado pet overpopulation authority (authority) will award the grants pursuant to the direction of the

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.

authority's board of directors (board).

A prospective grantee may only apply for a grant biannually and may not receive money in consecutive years. The authority must not favor a particular animal welfare facility's business model over another when awarding grants. A pet animal facility must be licensed and in good standing with the department of agriculture and located in Colorado to be eligible for a grant. At least 20% of the money annually awarded for all grants from the account must be for trap-neuter-return program grants. A trap-neuter-return grantee may spend grant money only on:

- Trapping, sterilizing, vaccinating, and ear-tipping community cats in Colorado;
- Veterinary care for the treatment and sterilization of community cats in Colorado;
- Education and outreach to promote public awareness of trap-neuter-return programs in Colorado and to encourage community participation;
- Training for community cat caretakers and animal control personnel in humane trapping and trap-neuter-return protocols in Colorado; and
- For an animal welfare facility that is a spay and neuter organization, veterinary materials and support for mobile clinics in Colorado.

The bill changes the composition of the board and the qualifications required to be on the board. The board member who represents the general public must not also be on the board of any animal welfare organization, and no board member may be from the same trade or industry group as another board member. The bill adds to the board a representative of No Kill Colorado or any successor organization and a representative of a spay and neuter organization.

The board must annually publish on the pet overpopulation fund website the name of each grantee receiving money from the pet overpopulation fund, the amount of each grant provided to a grantee, when a grantee received a grant, and the names of each board member.

The bill specifies that 70% of all grants awarded money from the pet overpopulation fund must be used for animal welfare facilities that are headquartered and located in a Colorado county with a population of 200,000 or less.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) The pet overpopulation fund has provided funding for grants

1 and programs that have decreased the overpopulation of Colorado's pets;

2 (b) The pet overpopulation fund is overseen by the Colorado pet
3 overpopulation authority, which is an entity not subject to administration
4 by the state government, except for the appointment of its members by the
5 commissioner of agriculture;

6 (c) The adopt a shelter pet account in the pet overpopulation fund
7 receives money donated through the sale of the adopt a shelter pet license
8 plate to be used for spaying and neutering animals in animal shelters and
9 rescues and to support overpopulation education programs;

10 (d) The allocation of money in the adopt a shelter pet account is
11 lacking in transparency and the public should have knowledge of the
12 allocation of the money;

13 (e) Colorado should not favor one business model or ideology
14 over another in shelter and rescue operations because all shelter and
15 rescue operations work to place pets in adoptive homes, save animal
16 lives, work in tandem with municipalities and counties, assist in the
17 reduction of pet overpopulation, and are licensed pursuant to the pet
18 animal care facility act;

19 (f) More than eighty percent of Americans support nonlethal
20 solutions like spay and neuter programs and trap-neuter-return programs
21 for managing pet and community cat populations;

22 (g) Community cats have historically faced high euthanasia rates
23 in animal shelters due to a lack of a human address and socialization;

24 (h) Trap-neuter-return is a proven humane method to manage
25 community cat populations, reduce the number of impounded community
26 cats, and decrease nuisance complaints;

27 (i) The use of trap-neuter-return programs leads to healthier, more

1 manageable community cat populations while saving taxpayer money and
2 resources;

3 (j) Colorado rural communities receive proportionately less
4 funding from the adopt a shelter pet account than urban communities and
5 have a great need for resources; and

6 (k) The implementation of trap-neuter-return programs in
7 Colorado's rural communities is crucial because services are often lacking
8 and community cat populations are expanding.

9 (2) Therefore, the general assembly further finds and declares that
10 there is a need to address the state's community cat population and that it
11 is appropriate to use money in the adopt a shelter pet account of the
12 Colorado pet overpopulation fund to support the sterilization and
13 vaccination of community cats.

14 **SECTION 2.** In Colorado Revised Statutes, 35-80-116.5, **amend**
15 (2)(a) introductory portion, (2)(a)(VII), (2)(a)(VIII), and (5)(e); and **add**
16 (2)(a)(IX), (2)(a)(X), (3)(d), (4.5), (5)(c.5), (8), (9), and (10) as follows:

17 **35-80-116.5. Pet overpopulation authority - creation - duties**
18 **and powers - pet overpopulation fund - adopt a shelter pet account**
19 **- definitions.** (2) (a) The powers of the Colorado pet overpopulation
20 authority ~~shall be~~ ARE vested in a board of directors consisting of the
21 following:

22 (VII) One member of the general public ~~with~~ WHO HAS an interest
23 in animal welfare and WHO IS NOT A MEMBER OF A BOARD OF ANY ANIMAL
24 WELFARE ORGANIZATION;

25 (VIII) One representative of western Colorado;

26 (IX) ONE REPRESENTATIVE OF NO KILL COLORADO OR ANY
27 SUCCESSOR ORGANIZATION; AND

1 (X) ONE REPRESENTATIVE OF A SPAY AND NEUTER ORGANIZATION,
2 AS DEFINED IN SUBSECTION (10)(a)(V) OF THIS SECTION.

3 (3) (d) THE BOARD MUST NOT CONSIST OF ANY MEMBERS
4 AFFILIATED WITH THE SAME TRADE OR INDUSTRY GROUP.

5 (4.5) THE BOARD SHALL ANNUALLY PUBLISH ON THE PET
6 OVERPOPULATION FUND WEBSITE THE NAME OF EACH GRANTEE RECEIVING
7 MONEY FROM THE PET OVERPOPULATION FUND, THE AMOUNT OF EACH
8 GRANT PROVIDED TO A GRANTEE, WHEN A GRANTEE RECEIVED A GRANT,
9 AND THE NAMES OF EACH BOARD MEMBER.

10 (5) (c.5) AT LEAST SEVENTY PERCENT OF THE MONEY ANNUALLY
11 AWARDED FOR ALL GRANTS THAT ARE FUNDED BY THE PET
12 OVERPOPULATION FUND MUST BE ANNUALLY ALLOCATED FOR RURAL
13 COMMUNITY FACILITIES.

14 (e) (I) The authority shall use the ~~moneys~~ MONEY in the adopt a
15 shelter pet account to support the ~~spay~~ SPAYING and neutering and other
16 medical costs of animals in animal shelters and rescues, ~~or~~ to support
17 overpopulation education programs, AND TO SUPPORT THE
18 TRAP-NEUTER-RETURN GRANT PROGRAM ESTABLISHED IN SUBSECTION
19 (10)(b) OF THIS SECTION FOR THE PURPOSES DESCRIBED IN SUBSECTION
20 (10)(d) OF THIS SECTION; except that up to ten percent of the ~~moneys~~
21 MONEY in the adopt a shelter pet account may be used for the
22 administration of the account.

23 (II) THE COLORADO PET OVERPOPULATION AUTHORITY MUST NOT
24 FAVOR A PARTICULAR BUSINESS MODEL WHEN ALLOCATING MONEY FROM
25 THE ADOPT A SHELTER PET ACCOUNT.

26 (8) A PET ANIMAL FACILITY APPLYING FOR A GRANT DESCRIBED IN
27 SUBSECTION (10)(b) OF THIS SECTION FROM THE ADOPT A SHELTER PET

1 ACCOUNT MUST BE LICENSED AND IN GOOD STANDING PURSUANT TO
2 SECTION 35-80-104.

3 (9) AN ANIMAL WELFARE FACILITY THAT RECEIVES MONEY FROM
4 THE ADOPT A SHELTER PET ACCOUNT MAY NOT RECEIVE MONEY FROM THE
5 ACCOUNT IN CONSECUTIVE YEARS AND MAY ONLY APPLY FOR THE MONEY
6 BIANNUALLY.

7 (10) (a) AS USED IN THIS SECTION, UNLESS THE CONTEXT
8 OTHERWISE REQUIRES:

9 (I) "ANIMAL WELFARE FACILITY" MEANS A PET ANIMAL FACILITY,
10 AS DEFINED IN SECTION 35-80-102 (11), A PET ANIMAL RESCUE, AS
11 DEFINED IN SECTION 35-80-102 (11.2), OR A SPAY AND NEUTER
12 ORGANIZATION, AS DEFINED IN SUBSECTION (10)(a)(V) OF THIS SECTION.

13 (II) "COMMUNITY CAT" MEANS A FREE-ROAMING DOMESTIC CAT
14 THAT MAY HAVE A CARETAKER AND IS NOT SOCIALIZED TO HUMANS.

15 (III) "EAR-TIPPING" MEANS THE REMOVAL OF APPROXIMATELY ONE
16 QUARTER OF A COMMUNITY CAT'S LEFT EAR WHILE UNDER ANESTHESIA,
17 WHICH SERVES AS A VISUAL INDICATOR OF STERILIZATION.

18 (IV) "RURAL COMMUNITY FACILITY" MEANS AN ANIMAL WELFARE
19 FACILITY THAT IS HEADQUARTERED AND LOCATED IN A COLORADO
20 COUNTY WITH A POPULATION OF TWO HUNDRED THOUSAND OR LESS.

21 (V) "SPAY AND NEUTER ORGANIZATION" MEANS A NONPROFIT
22 ORGANIZATION PRIMARILY OFFERING SPAY AND NEUTER SERVICES
23 PERFORMED BY A LICENSED VETERINARIAN, AS DEFINED IN SECTION
24 35-80-102 (8.7).

25 (VI) "TRAP-NEUTER-RETURN GRANT PROGRAM" MEANS THE GRANT
26 PROGRAM ESTABLISHED IN SUBSECTION (10)(b) OF THIS SECTION.

27 (VII) "TRAP-NEUTER-RETURN PROGRAM" MEANS A NONLETHAL

1 PROCESS OF HUMANELY TRAPPING, STERILIZING, VACCINATING FOR
2 RABIES, EAR-TIPPING, AND RETURNING COMMUNITY CATS TO THEIR
3 HABITATS.

4 (b) THE AUTHORITY SHALL ESTABLISH A TRAP-NEUTER-RETURN
5 GRANT PROGRAM FUNDED BY THE ADOPT A SHELTER PET ACCOUNT. THE
6 AUTHORITY SHALL AWARD MONEY FROM THE ADOPT A SHELTER PET
7 ACCOUNT TO ANIMAL WELFARE FACILITIES LOCATED IN COLORADO TO
8 IMPLEMENT TRAP-NEUTER-RETURN PROGRAMS FOR THE PURPOSES
9 DESCRIBED IN SUBSECTION (10)(d) OF THIS SECTION.

10 (c) AT LEAST TWENTY PERCENT OF THE MONEY ANNUALLY
11 AWARDED FOR ALL GRANTS THAT ARE FUNDED BY THE ADOPT A SHELTER
12 PET ACCOUNT PURSUANT TO THIS SECTION MUST BE ANNUALLY
13 ALLOCATED FOR THE TRAP-NEUTER-RETURN GRANT PROGRAM.

14 (d) AN ANIMAL WELFARE FACILITY AWARDED MONEY FROM THE
15 TRAP-NEUTER-RETURN GRANT PROGRAM IS AUTHORIZED TO SPEND THE
16 MONEY ONLY ON:

17 (I) TRAPPING, STERILIZING, VACCINATING, AND EAR-TIPPING
18 COMMUNITY CATS IN COLORADO;

19 (II) VETERINARY CARE FOR THE TREATMENT AND STERILIZATION
20 OF COMMUNITY CATS IN COLORADO;

21 (III) EDUCATION AND OUTREACH TO PROMOTE PUBLIC AWARENESS
22 OF TRAP-NEUTER-RETURN PROGRAMS IN COLORADO AND TO ENCOURAGE
23 COMMUNITY PARTICIPATION;

24 (IV) TRAINING FOR COMMUNITY CAT CARETAKERS AND ANIMAL
25 CONTROL PERSONNEL IN HUMANE TRAPPING AND TRAP-NEUTER-RETURN
26 PROTOCOLS IN COLORADO; AND

27 (V) FOR AN ANIMAL WELFARE FACILITY THAT IS A SPAY AND

1 NEUTER ORGANIZATION, VETERINARY MATERIALS AND SUPPORT FOR
2 MOBILE CLINICS IN COLORADO.

3 **SECTION 3. Safety clause.** The general assembly finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, or safety or for appropriations for
6 the support and maintenance of the departments of the state and state
7 institutions.