

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0673.01 Duane Gall x4335

HOUSE BILL 18-1126

HOUSE SPONSORSHIP

Rosenthal, Williams D.

SENATE SPONSORSHIP

(None),

House Committees

Local Government

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE PERMISSIBLE REGULATION OF DOGS IN COMMON
102 INTEREST COMMUNITIES.

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>.)

In the law governing common interest communities, the bill invalidates any covenant that prohibits the keeping of certain types of dogs based solely on a breed, weight, or size classification. Other regulations, such as the prevention of nuisance barking and requirements concerning the number of dogs per household and the disposal of waste, remain valid.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 38-33.3-106.5, **add**
3 (1)(k) as follows:

4 **38-33.3-106.5. Prohibitions contrary to public policy -**
5 **patriotic and political expression - emergency vehicles - fire**
6 **prevention - renewable energy generation devices - affordable**
7 **housing - drought prevention measures - dogs - definitions.**

8 (1) Notwithstanding any provision in the declaration, bylaws, or rules
9 and regulations of the association to the contrary, an association shall not
10 prohibit any of the following:

11 (k) THE KEEPING OF CERTAIN TYPES OF DOGS BASED SOLELY ON A
12 BREED, WEIGHT, OR SIZE CLASSIFICATION. AN ASSOCIATION MAY
13 REGULATE THE NUMBER OF DOGS PER HOUSEHOLD AND MAY ENFORCE
14 COVENANTS CONCERNING DOG OR OWNER BEHAVIOR, INCLUDING
15 NUISANCE BARKING, WASTE DISPOSAL, AND OTHER MATTERS.

16 **SECTION 2. 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 8, 2018, if adjournment sine die is on May 9, 2018); 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 2018 and, in such case, will take effect on the date of the
25 official declaration of the vote thereon by the governor.