

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



SENATE BILL 20-104

BY SENATOR(S) Cooke, Fields, Bridges, Ginal, Moreno, Priola, Tate;
also REPRESENTATIVE(S) Roberts, Bird, Duran, Froelich, Melton,
Valdez A.

CONCERNING POWERS OF BUREAU OF ANIMAL PROTECTION AGENTS.

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

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

(a) The protection of companion animals from cruelty and neglect is of utmost importance to the citizens of Colorado;

(b) The general assembly has confirmed this value by enacting some of the most robust and comprehensive animal protection laws in the country, including the creation of the bureau of animal protection;

(c) Bureau of animal protection agents are often the first line of defense in investigating allegations of animal cruelty and neglect in Colorado;

(d) Bureau of animal protection agents are highly trained officers

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

who are skilled in responding to suspected cases of animal cruelty and neglect; and

(e) Many law enforcement agencies in the state rely on the expertise of bureau of animal protection agents to assist in inspecting and handling animal cruelty and neglect inquiries; however, because the statutory authority granted to the bureau of animal protection agents is unclear, not all cases of animal cruelty and neglect are being fully investigated.

(2) Therefore, the general assembly declares it is a necessary and important part of protecting companion animals to clarify the statutory investigative and impounding authority of bureau of animal protection agents to ensure that these agents can fully execute their duty to protect Colorado companion animals from cruelty and neglect.

SECTION 2. In Colorado Revised Statutes, 35-42-107, **amend** (2) and (4) as follows:

35-42-107. Bureau personnel - appointment. (2) The commissioner may appoint agents who are employees of the state, COLORADO-BASED nonprofit corporations, municipal corporations, counties, cities, cities and counties, or any other local governmental entity or political subdivision of the state.

(4) Agents of the bureau who have completed training as specified by the commissioner are vested with the power to CONDUCT INVESTIGATIONS AND issue summons and complaints to enforce the provisions of part 2 of article 9 of title 18 ~~C.R.S.~~, and article 80 of this ~~title~~, TITLE 35 as granted peace officers ~~under~~ PURSUANT TO section 16-2-104, ~~C.R.S.~~, and ~~shall be~~ ARE designated as peace officers, as described in sections 16-2.5-101 and 16-2.5-118. ~~C.R.S.~~

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Leroy M. Garcia
PRESIDENT OF
THE SENATE

KC Becker
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO