

**Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 20-0048.01 Yelana Love x2295

**SENATE BILL 20-125**

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**SENATE SPONSORSHIP**

**Ginal and Zenzinger,**

**HOUSE SPONSORSHIP**

**Froelich and Duran,**

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**Senate Committees**

Agriculture & Natural Resources

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING A PROHIBITION ON THE USE OF CERTAIN EXOTIC ANIMALS**  
102 **IN A TRAVELING ANIMAL ACT.**

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**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 creates the "Traveling Exotic Animal Safety Protection Act" (Act), which prohibits the use of exotic animals in a traveling animal act. A person who violates the Act commits a misdemeanor and is subject to a fine of between \$250 and \$1,000 per violation.

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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, add 33-1-126 as  
3 follows:

4 33-1-126. Prohibiting certain animals in a traveling animal act  
5 - short title - definitions. (1) THE SHORT TITLE OF THIS SECTION IS THE  
6 "TRAVELING EXOTIC ANIMAL SAFETY PROTECTION ACT".

7 (2) FOR PURPOSES OF THIS SECTION, UNLESS THE CONTEXT  
8 OTHERWISE REQUIRES:

9 (a) "CAUSE A PERFORMANCE" MEANS TO ALLOW FOR THE  
10 PARTICIPATION OF AN ANIMAL IN A PERFORMANCE, TO BE RESPONSIBLE  
11 FOR A PERFORMANCE, TO FINANCIALLY BENEFIT AS AN OWNER OR  
12 OPERATOR FROM A PERFORMANCE, TO FINANCIALLY BENEFIT AS A PERSON  
13 WHO OWNS OR CONTROLS A PROPERTY USED FOR A PERFORMANCE, OR TO  
14 USE ANY MEANS OF COMMUNICATION FOR THE PURPOSE OF PROMOTING A  
15 PERFORMANCE ON BEHALF OF THE OWNER OR OPERATOR OF A  
16 PERFORMANCE OR THE VENUE FOR A PERFORMANCE.

17 (b) "ENVIRONMENTAL EDUCATION PROGRAM" MEANS AN ANIMAL  
18 EXHIBITION THAT:

19 (I) IS DESIGNED BY A PROFESSIONAL TO IMPART KNOWLEDGE OR  
20 INFORMATION FOR EDUCATIONAL OR CONSERVATION PURPOSES ABOUT  
21 ONE OR MORE ANIMALS' NATURAL BEHAVIOR, HABITAT, LIFE CYCLE, OR  
22 SIMILAR PEDAGOGICAL INFORMATION;

23 (II) IS CONDUCTED BY AN INDIVIDUAL QUALIFIED TO IMPART SUCH  
24 INFORMATION; AND

25 (III) DOES NOT INCLUDE ANY PERFORMANCE OF BEHAVIOR BY AN  
26 ANIMAL THAT DOES NOT NATURALLY OCCUR FOR THAT ANIMAL IN THE  
27 WILD STATE, EXCEPT FOR INDUSTRY-STANDARD HUSBANDRY PRACTICES

1 FOR VETERINARY PURPOSES.

2 (c) "PERFORMANCE" MEANS ANY ANIMAL ACT, CIRCUS, RIDE,  
3 CARNIVAL, PARADE, RACE, PERFORMANCE, OR SIMILAR UNDERTAKING IN  
4 WHICH ANIMALS ARE:

5 (I) REQUIRED TO PERFORM TRICKS, GIVE RIDES, OR PARTICIPATE AS  
6 ACCOMPANIMENTS FOR THE ENTERTAINMENT, AMUSEMENT, OR BENEFIT  
7 OF AN AUDIENCE; OR

8 (II) USED PRIMARILY FOR PHOTOGRAPHIC PURPOSES.

9 (d) "TRAVELING ANIMAL ACT" MEANS ANY PERFORMANCE OF AN  
10 ANIMAL WHERE THE ANIMAL IS TRANSPORTED TO, FROM, OR BETWEEN  
11 LOCATIONS FOR THE PURPOSE OF THE PERFORMANCE.

12 (3) EXCEPT AS PROVIDED IN SUBSECTION (4) OF THIS SECTION, A  
13 PERSON SHALL NOT CAUSE A PERFORMANCE OF THE FOLLOWING ANIMALS,  
14 INCLUDING HYBRIDS OF THE FOLLOWING ANIMALS, WHETHER WILD-BORNE  
15 OR CAPTIVE-BRED, IN A TRAVELING ANIMAL ACT:

16 (a) CETARTIODACTYLA OTHER THAN BISON, CATTLE, DEER, ELK,  
17 GOATS, REINDEER, SWINE, AND SHEEP;

18 (b) FELIDAE OTHER THAN DOMESTIC CATS;

19 (c) WILD CANIDAE OTHER THAN DOMESTIC DOGS;

20 (d) MARSUPIALIA;

21 (e) NONHUMAN PRIMATES;

22 (f) PERISSODACTYLA OTHER THAN HORSES, DONKEYS, AND MULES;

23 (g) PINNIPEDIA;

24 (h) PROBOSCIDEA;

25 (i) RATITES;

26 (j) SPHENISCIDAE; AND

27 (k) URSIDAE.

1           (4) THIS SECTION DOES NOT PROHIBIT THE USE OF AN ANIMAL  
2           SPECIFIED IN SUBSECTION (3) OF THIS SECTION:

3           (a) IN AN EXHIBITION AT A:

4           (I) WILDLIFE SANCTUARY; OR

5           (II) NONMOBILE, PERMANENT INSTITUTION, FACILITY, ZOO, OR  
6           AQUARIUM ACCREDITED BY THE ASSOCIATION OF ZOOS AND AQUARIUMS  
7           OR THE GLOBAL FEDERATION OF ANIMAL SANCTUARIES, OR ANY  
8           SUCCESSOR ORGANIZATIONS;

9           (b) IF THE ANIMAL IS LIVESTOCK, AS DEFINED IN SECTION  
10          35-80-102 (9), OR ALTERNATIVE LIVESTOCK, AS DEFINED IN SECTION  
11          35-41.5-102 (1);

12          (c) AS PART OF AN ENVIRONMENTAL EDUCATION PROGRAM IF:

13          (I) THE ANIMAL IS NOT USED MORE THAN SIX MONTHS IN A  
14          CALENDAR YEAR; AND

15          (II) THE ANIMAL IS NOT KEPT IN A VEHICLE FOR MORE THAN  
16          TWELVE HOURS A DAY, WHEN THE VEHICLE IS USED TO TRANSPORT OR  
17          HOUSE THE ANIMAL WHILE TRAVELING TO, FROM, OR BETWEEN LOCATIONS  
18          FOR PERFORMANCE PURPOSES; OR

19          (d) BY A UNIVERSITY, COLLEGE, LABORATORY, OR OTHER  
20          RESEARCH FACILITY PROPERLY LICENSED OR REGISTERED UNDER THE  
21          FEDERAL "ANIMAL WELFARE ACT OF 1970", 7 U.S.C. SEC. 2131 ET SEQ.,  
22          AS AMENDED, FOR THE PURPOSE OF CONDUCTING RESEARCH.

23          (5) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A  
24          MISDEMEANOR AND SHALL BE PUNISHED UPON CONVICTION BY A FINE OF  
25          NOT LESS THAN TWO HUNDRED FIFTY DOLLARS AND NOT MORE THAN ONE  
26          THOUSAND DOLLARS PER VIOLATION.

27          **SECTION 2. Act subject to petition - effective date -**

1 **applicability.** (1) This act takes effect July 1, 2021; except that, if a  
2 referendum petition is filed pursuant to section 1 (3) of article V of the  
3 state constitution against this act or an item, section, or part of this act  
4 within the ninety-day period after final adjournment of the general  
5 assembly, then the act, item, section, or part will not take effect unless  
6 approved by the people at the general election to be held in November  
7 2020 and, in such case, will take effect July 1, 2021.

8 (2) This act applies to offenses committed on or after the  
9 applicable effective date of this act.