

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0876.01 Yelana Love x2295

SENATE BILL 20-142

SENATE SPONSORSHIP

Marble,

HOUSE SPONSORSHIP

Saine,

Senate Committees

State, Veterans, & Military Affairs

House Committees

A BILL FOR AN ACT

101 CONCERNING LICENSING REQUIREMENTS RELATING TO PET ANIMALS.

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 amends the "Pet Animal Care and Facilities Act" (Act) by:

- ! Removing language exempting from the Act a person who boards no more than 3 pet animals at one time;
- ! Exempting from the Act any pet animal rescue that qualifies as tax exempt under section 501 (c)(3) of the federal "Internal Revenue Code of 1986";
- ! Decreasing the maximum licensing fee amount that the commissioner of agriculture may charge a pet animal

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.

facility and establishing independent contractor pet groomer licensing fees in statute; and
! Removing language that prohibits a person from importing or causing to be imported any pet animal for the purpose of sale, resale, trade, or barter by a pet animal facility operator unless the person is licensed.

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

2 **SECTION 1.** In Colorado Revised Statutes, 35-80-102, **add** (8.5)
3 and (11.1) as follows:

4 **35-80-102. Definitions.** As used in this article 80, unless the
5 context otherwise requires:

6 (8.5) "GROOMER" MEANS A PERSON ENGAGED IN THE OPERATION
7 OF CHANGING THE PHYSICAL APPEARANCE OF THE SKIN, COAT, HAIR, OR
8 FEATHERS OF PET ANIMALS AT A LICENSED PET ANIMAL GROOMER FACILITY
9 FOR COMPENSATION.

10 (11.1) "PET ANIMAL GROOMER FACILITY" MEANS A PERMANENT OR
11 MOBILE ESTABLISHMENT WHERE A PERSON PAYS A FEE TO HAVE THE
12 PERSON'S PET ANIMAL'S SKIN, COAT, HAIR, OR FEATHERS CLEANED,
13 STYLED, OR MAINTAINED OR WHERE A PERSON PAYS TO HAVE THE
14 PERSON'S ANIMAL'S PHYSICAL APPEARANCE CHANGED.

15 **SECTION 2.** In Colorado Revised Statutes, 35-80-103, **amend**
16 (2) introductory portion; **repeal** (2)(k); and **add** (2)(m) as follows:

17 **35-80-103. Scope of article.** (2) ~~The provisions of This article 80~~
18 ~~do~~ DOES not apply to:

19 (k) ~~The boarding of no more than three pet animals at one time;~~

20 (m) A PET ANIMAL RESCUE EXEMPT FROM FEDERAL TAXATION
21 UNDER SECTION 501(c)(3) OF THE FEDERAL "INTERNAL REVENUE CODE OF
22 1986", AS AMENDED.

1 **SECTION 3.** In Colorado Revised Statutes, 35-80-105, **amend**
2 (4) as follows:

3 **35-80-105. Pet animal facility - licensure requirements -**
4 **application - fees.** (4) (a) Each applicant for a pet animal facility license
5 shall pay an annual license fee in the amount specified by rule of the
6 commissioner, which amount ~~shall~~ **MUST** not exceed ~~seven~~ FIVE hundred
7 dollars per ~~license~~ PET ANIMAL FACILITY LICENSED; EXCEPT THAT THE
8 ANNUAL LICENSE FEE FOR A PET ANIMAL FACILITY THAT BOARDS NO MORE
9 THAN THREE PET ANIMALS AT ONE TIME MUST NOT EXCEED ONE HUNDRED
10 TWENTY-FIVE DOLLARS.

11 (b) THE COMMISSIONER SHALL NOT CHARGE A GROOMER WORKING
12 AS AN INDEPENDENT CONTRACTOR MORE THAN FIFTY DOLLARS TO RENEW
13 THE GROOMER'S LICENSE.

14 **SECTION 4.** In Colorado Revised Statutes, 35-80-108, **amend**
15 (2) introductory portion; and **repeal** (2)(d) as follows:

16 **35-80-108. Unlawful acts.** (2) It is unlawful and a violation of
17 this ~~article~~ ARTICLE 80 for any person operating a pet animal facility:

18 (d) ~~To import or cause to be imported any pet animal for the~~
19 ~~purpose of sale, resale, trade, or barter by a pet animal facility operator~~
20 ~~unless such operator is the holder of a valid pet animal facility license~~
21 ~~issued pursuant to this article;~~

22 **SECTION 5. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly (August
25 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
26 referendum petition is filed pursuant to section 1 (3) of article V of the
27 state constitution against this act or an item, section, or part of this act

1 within such period, then the act, item, section, or part will not take effect
2 unless approved by the people at the general election to be held in
3 November 2020 and, in such case, will take effect on the date of the
4 official declaration of the vote thereon by the governor.