

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

**INTRODUCED**

LLS NO. 23-0066.01 Jery Payne x2157

**SENATE BILL 23-038**

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**SENATE SPONSORSHIP**

**Jaquez Lewis,**

**HOUSE SPONSORSHIP**

**Garcia,**

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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 SLAUGHTERING EQUINES FOR HUMAN**  
102 **CONSUMPTION.**

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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>.)*

**Section 1** of the bill establishes the crime of unlawful equine slaughter. A person engages in unlawful equine slaughter if the person:

- Slaughters an equine when the person knows or reasonably should know that any part of the equine will be used for human consumption;
- Possesses, imports into the state, exports from the state,

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.

buys, sells, gives away, or accepts an equine with the intent of killing, or having another person kill, the equine if the person knows or reasonably should know that any part of the equine will be used for human consumption; or

- Possesses, imports into the state, exports from the state, buys, sells, gives away, or accepts equine meat if the person knows or reasonably should know that the meat will be used for human consumption.

**Section 1** provides a safe harbor to the offense for equine slaughtered for use by a facility in feeding predators housed at the facility.

Each equine that is unlawfully slaughtered and each 100 pounds of equine meat derived from unlawful slaughter is a separate offense. A first violation is a class 1 misdemeanor with a mandatory minimum fine of \$1,000, and a second or subsequent violation within a 10-year period is a class 5 felony with a mandatory minimum fine of \$5,000. If a person obtains the equine by fraud and commits unlawful equine slaughter, it is a class 4 felony with a mandatory minimum fine of \$10,000. In addition, a person that commits unlawful equine slaughter is forever prohibited from owning, possessing, or caring for an equine and from participating in a public livestock market for 3 to 5 years.

**Sections 2 and 3** require notice of the crime of unlawful equine slaughter to be given at livestock auctions and on bills of sale.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 18-9-210 as  
3 follows:

4 **18-9-210. Equine slaughter for human consumption - safe**  
5 **harbor - penalties - definitions. (1) Definitions.** AS USED IN THIS  
6 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

7 (a) "EQUINE" MEANS A HORSE, MULE, OR BURRO.

8 (b) "PREDATOR" MEANS ANY ANIMAL THAT:

9 (I) IS NOT A HUMAN; AND

10 (II) WHEN NOT IN CAPTIVITY, NORMALLY KILLS OTHER ANIMALS  
11 TO CONSUME THE OTHER ANIMALS.

12 (c) "PUBLIC LIVESTOCK MARKET" HAS THE MEANING SET FORTH IN  
13 SECTION 35-41-100.3 (6).

1           (2) **Unlawful acts.** EXCEPT AS PROVIDED IN SUBSECTION (3) OF  
2 THIS SECTION, A PERSON COMMITS UNLAWFUL EQUINE SLAUGHTER IF THE  
3 PERSON:

4           (a) SLAUGHTERS AN EQUINE AND THE PERSON KNOWS OR  
5 REASONABLY SHOULD KNOW THAT ANY PART OF THE EQUINE WILL BE USED  
6 FOR HUMAN CONSUMPTION;

7           (b) POSSESSES, IMPORTS INTO THE STATE, EXPORTS FROM THE  
8 STATE, BUYS, SELLS, GIVES AWAY, OR ACCEPTS AN EQUINE WITH THE  
9 INTENT OF KILLING, OR HAVING ANOTHER PERSON KILL, THE EQUINE, AND  
10 THE PERSON KNOWS OR REASONABLY SHOULD KNOW THAT ANY PART OF  
11 THE EQUINE WILL BE USED FOR HUMAN CONSUMPTION; OR

12           (c) POSSESSES, IMPORTS INTO THE STATE, EXPORTS FROM THE  
13 STATE, BUYS, SELLS, GIVES AWAY, OR ACCEPTS EQUINE MEAT, AND THE  
14 PERSON KNOWS OR REASONABLY SHOULD KNOW THAT THE MEAT WILL BE  
15 USED FOR HUMAN CONSUMPTION.

16           (3) **Safe harbor.** IT IS NOT UNLAWFUL EQUINE SLAUGHTER FOR A  
17 PERSON TO:

18           (a) SLAUGHTER AN EQUINE FOR USE BY A FACILITY TO FEED  
19 PREDATORS HOUSED AT THE FACILITY;

20           (b) POSSESS, IMPORT INTO THE STATE, EXPORT FROM THE STATE,  
21 BUY, SELL, GIVE AWAY, OR ACCEPT AN EQUINE IN OR THROUGH A  
22 SECONDARY MARKET FOR EQUINE PRODUCTS IF THE EQUINE IS  
23 SLAUGHTERED FOR USE BY A FACILITY TO FEED PREDATORS HOUSED AT  
24 THE FACILITY; OR

25           (c) POSSESS, IMPORT INTO THE STATE, EXPORT FROM THE STATE,  
26 BUY, SELL, GIVE AWAY, OR ACCEPT EQUINE MEAT IN OR THROUGH A  
27 SECONDARY MARKET FOR EQUINE PRODUCTS IF THE EQUINE WAS

1 SLAUGHTERED FOR USE BY A FACILITY TO FEED PREDATORS HOUSED AT  
2 THE FACILITY.

3 (4) **Acts that are separate offenses.** (a) EACH ACT OF UNLAWFUL  
4 SLAUGHTER OF AN EQUINE IS A SEPARATE OFFENSE.

5 (b) FOR EVERY ONE HUNDRED POUNDS OF EQUINE MEAT A PERSON,  
6 IN VIOLATION OF SUBSECTION (2)(c) OF THIS SECTION, POSSESSES, IMPORTS  
7 INTO THE STATE, EXPORTS FROM THE STATE, BUYS, SELLS, GIVES AWAY, OR  
8 ACCEPTS, IT IS A SEPARATE OFFENSE.

9 (5) **Penalties.** (a) EXCEPT AS PROVIDED IN SUBSECTIONS (5)(b)  
10 AND (5)(c) OF THIS SECTION, UNLAWFUL EQUINE SLAUGHTER IS A CLASS 1  
11 MISDEMEANOR, AND, IN ADDITION TO ANY PENALTY IMPOSED UNDER  
12 SECTION 18-1.3-501, THE COURT SHALL IMPOSE UPON THE PERSON A  
13 MANDATORY FINE OF AT LEAST ONE THOUSAND DOLLARS.

14 (b) A SECOND OR SUBSEQUENT ACT OF UNLAWFUL EQUINE  
15 SLAUGHTER, AFTER BEING CONVICTED OF OR PLEADING NOLO CONTENDERE  
16 TO UNLAWFUL EQUINE SLAUGHTER WITHIN THE PREVIOUS TEN YEARS, IS A  
17 CLASS 5 FELONY, AND, IN ADDITION TO ANY PENALTY IMPOSED UNDER  
18 SECTION 18-1.3-401, THE COURT SHALL IMPOSE UPON THE PERSON A  
19 MANDATORY FINE OF AT LEAST FIVE THOUSAND DOLLARS.

20 (c) A PERSON WHO COMMITS UNLAWFUL EQUINE SLAUGHTER AND  
21 WHO OBTAINED THE EQUINE BY FRAUD OR THEFT COMMITS A CLASS 4  
22 FELONY, AND, IN ADDITION TO ANY PENALTY IMPOSED UNDER SECTION  
23 18-1.3-401, THE COURT SHALL IMPOSE UPON THE PERSON A MANDATORY  
24 FINE OF AT LEAST TEN THOUSAND DOLLARS.

25 (d) UPON CONVICTION FOR A VIOLATION OF SUBSECTION (2) OF THIS  
26 SECTION AND IN ADDITION TO ANY OTHER PENALTY, THE COURT SHALL  
27 ENTER AN ORDER:

1 (I) PERMANENTLY PROHIBITING THE PERSON FROM OWNING,  
2 POSSESSING, OR CARING FOR AN EQUINE; AND

3 (II) PROHIBITING THE PERSON FROM PARTICIPATING IN A PUBLIC  
4 LIVESTOCK MARKET FOR NOT LESS THAN THREE AND NOT MORE THAN FIVE  
5 YEARS.

6 **SECTION 2.** In Colorado Revised Statutes, 35-54-103, **add** (3)  
7 as follows:

8 **35-54-103. Requirements of bill of sale.** (3) IF A BILL OF SALE  
9 CONCERNS THE SALE OF EQUINE LIVESTOCK, AS DEFINED IN SECTION  
10 35-41-100.3 (1.7), THE SELLER SHALL INCLUDE IN THE BILL OF SALE IN  
11 BOLDFACE TYPE THE FOLLOWING NOTICE:

12 **WARNING:**

13 I AFFIRM HAVING PERSONAL KNOWLEDGE OF THE  
14 PROHIBITIONS IN SECTION 18-9-210, COLORADO REVISED  
15 STATUTES, WHICH IMPOSES CRIMINAL LIABILITY ON A  
16 PERSON WHO BUYS OR SELLS EQUINE LIVESTOCK FOR  
17 SLAUGHTER FOR HUMAN CONSUMPTION. I AFFIRM THAT THE  
18 EQUINE LIVESTOCK SUBJECT TO THIS BILL OF SALE IS NOT  
19 BEING BOUGHT OR SOLD FOR SLAUGHTER FOR HUMAN  
20 CONSUMPTION.

21 **SECTION 3.** In Colorado Revised Statutes, **amend** 35-55-105 as  
22 follows:

23 **35-55-105. Posting licenses - required notices.** (1) A certified  
24 copy of an issued license may be procured by the holder of the original  
25 LICENSE upon payment of a fee of one dollar. ~~therefor, and~~ THE LICENSE  
26 HOLDER SHALL POST the original or certified copy of ~~said~~ THE license ~~shall~~  
27 ~~be posted~~ during sale periods in a conspicuous place on the premises

1 where the public livestock market is conducted.

2 (2) (a) AT A PUBLIC AUCTION OR SALE WHERE EQUINE LIVESTOCK,  
3 AS DEFINED IN SECTION 35-41-100.3 (1.7), ARE SOLD, THE MANAGEMENT  
4 OF THE AUCTION OR SALE SHALL GIVE THE EQUINE LIVESTOCK SELLER THE  
5 NOTICE DESCRIBED IN SUBSECTION (2)(b) OF THIS SECTION BY EITHER:

6 (I) POSTING THE NOTICE:

7 (A) ON A SIGN MEASURING A MINIMUM OF SIXTEEN INCHES BY TEN  
8 INCHES WITH LETTERING OF A MINIMUM OF NINETY-ONE-POINT FONT; AND

9 (B) IN A CONSPICUOUS LOCATION THAT IS CLEARLY VISIBLE TO A  
10 MAJORITY OF THE PEOPLE ATTENDING THE PUBLIC AUCTION OR SALE; OR

11 (II) INSERTING THE NOTICE INTO THE MANAGEMENT'S  
12 CONSIGNMENT AGREEMENT WITH THE SELLER IN BOLDFACE TYPE AND WITH  
13 A SPACE ADJACENT TO THE NOTICE FOR THE SELLER TO INITIAL AND  
14 ACKNOWLEDGE THAT THE SELLER RECEIVED AND READ THE NOTICE.

15 (b) TO COMPLY WITH THIS SUBSECTION (2), THE NOTICE MUST READ  
16 AS FOLLOWS:

17 **WARNING:**

18 UNDER SECTION 18-9-210, COLORADO REVISED STATUTES,  
19 THE SALE OF EQUINE LIVESTOCK IN COLORADO FOR  
20 SLAUGHTER FOR HUMAN CONSUMPTION IS PUNISHABLE BY  
21 INCARCERATION, A MANDATORY FINE OF AT LEAST ONE  
22 THOUSAND DOLLARS, OR BOTH.

23 (c) IF THE MANAGEMENT OF A PUBLIC AUCTION OR SALE CHOOSES  
24 TO PROVIDE THE NOTICE AS PART OF A CONSIGNMENT AGREEMENT WITH  
25 THE SELLER PURSUANT TO SUBSECTION (2)(a)(II) OF THIS SECTION, THE  
26 MANAGEMENT MUST ENSURE THAT THE SELLER INITIALS THE  
27 ACKNOWLEDGMENT OF RECEIPT OF THE NOTICE IN ORDER TO

1 DEMONSTRATE COMPLIANCE WITH THIS SUBSECTION (2).

2 **SECTION 4. Act subject to petition - effective date -**

3 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following

4 the expiration of the ninety-day period after final adjournment of the

5 general assembly; except that, if a referendum petition is filed pursuant to

6 section 1 (3) of article V of the state constitution against this act or an

7 item, section, or part of this act within such period, then the act, item,

8 section, or part will not take effect unless approved by the people at the

9 general election to be held in November 2024 and, in such case, will take

10 effect on the date of the official declaration of the vote thereon by the

11 governor.

12 (2) This act applies to acts committed on or after the applicable

13 effective date of this act.