

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

PREAMENDED

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

LLS NO. 23-0958.01 Jane Ritter x4342

HOUSE BILL 23-1286

HOUSE SPONSORSHIP

Armagost and Duran,

SENATE SPONSORSHIP

(None),

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING CHANGES TO MONETARY PENALTIES FOR THE OFFENSE**
102 **OF CRUELTY TO ANIMALS FOR WORKING ANIMALS THAT ARE**
103 **USED IN CONNECTION WITH GOVERNMENTAL ENTITIES.**

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 increases penalties and fines for cruelty and aggravated cruelty to service animals, certified police working dogs, and police working horses.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 18-9-202, **amend**
3 (2)(a.5)(V) and (2)(d)(II) as follows:

4 **18-9-202. Cruelty to animals - aggravated cruelty to animals**

5 **- service animals - short title.** (2) (a.5) (V) (A) In addition to any
6 other sentence imposed upon a person for a violation of any criminal law
7 under this title 18, any person convicted of a second or subsequent
8 conviction for any crime, the underlying factual basis of which has been
9 found by the court to include an act of cruelty to animals ~~or cruelty to a~~
10 ~~service animal, or a certified police working dog, or police working horse~~
11 ~~pursuant to subsection (1.5)(c) of this section,~~ PURSUANT TO SUBSECTION
12 (1) OF THIS SECTION OR AGGRAVATED CRUELTY TO ANIMALS PURSUANT TO
13 SUBSECTION (1.5)(b) OF THIS SECTION is required to pay a mandatory
14 minimum fine of one thousand dollars and is required to complete an
15 anger management treatment program or any other appropriate treatment
16 program.

17 (B) IN ADDITION TO ANY OTHER SENTENCE IMPOSED UPON A
18 PERSON FOR A VIOLATION OF ANY CRIMINAL LAW UNDER THIS TITLE 18,
19 ANY PERSON CONVICTED OF A SECOND OR SUBSEQUENT CONVICTION FOR
20 ANY CRIME, THE UNDERLYING FACTUAL BASIS OF WHICH HAS BEEN FOUND
21 BY THE COURT TO INCLUDE CRUELTY TO A SERVICE ANIMAL, CERTIFIED
22 POLICE WORKING DOG, OR POLICE WORKING HORSE PURSUANT TO
23 SUBSECTION (1.5)(c)(I) OF THIS SECTION OR AGGRAVATED CRUELTY TO A
24 SERVICE ANIMAL, CERTIFIED POLICE WORKING DOG, OR POLICE WORKING
25 HORSE PURSUANT TO SUBSECTION (1.5)(c)(II) OF THIS SECTION, IS
26 REQUIRED TO PAY A MANDATORY MINIMUM FINE OF TWO THOUSAND
27 DOLLARS AND IS REQUIRED TO COMPLETE AN ANGER MANAGEMENT

1 TREATMENT PROGRAM OR ANY OTHER APPROPRIATE TREATMENT
2 PROGRAM.

3

4 (d) (II) If a person is convicted of cruelty OR AGGRAVATED
5 CRUELTY to a SERVICE ANIMAL, certified police working dog, or police
6 working horse pursuant to subsection (1.5)(c) of this section, the court
7 shall order ~~him or her~~ THE PERSON to make restitution to the agency or
8 individual owning the SERVICE ANIMAL, certified police working dog, or
9 police working horse for all expenses, including any immediate and
10 ongoing veterinary expenses related to the incident, and replacement costs
11 for the SERVICE ANIMAL, certified police working dog, or police working
12 horse if it is permanently disabled or killed as a result of the cruelty to
13 animals OR AGGRAVATED CRUELTY incident. If the court finds that the
14 person who is convicted of cruelty OR AGGRAVATED CRUELTY to a
15 SERVICE ANIMAL, certified police working dog, or police working horse
16 pursuant to subsection (1.5)(c) of this section did so with malicious intent,
17 the person shall additionally make restitution to the agency or individual
18 owning the SERVICE ANIMAL, certified police working dog, or police
19 working horse for all training and certification costs related to the
20 SERVICE ANIMAL, certified police working dog, or police working horse.

21 **SECTION 2. Safety clause.** The general assembly hereby finds,
22 determines, and declares that this act is necessary for the immediate
23 preservation of the public peace, health, or safety.