



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

HB 25-1034: CHANGES TO DANGEROUS DOG STATUTE

Prime Sponsors:

Rep. McCormick; Sander
Sen. Daugherty

Fiscal Analyst:

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Published for: House Ag., Water & Natural Res.**Drafting number:** LLS 25-0074**Version:** Initial Fiscal Note**Date:** January 10, 2025**Fiscal note status:** The fiscal note reflects the introduced bill.

Summary Information

Overview. The bill expands protections under the dangerous dog statute for serious bodily injuries inflicted by a dog on certain animal care professionals.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- State Revenue
- State Expenditures
- Local Government

Appropriations. No appropriation is required.

Table 1
State Fiscal Impacts

Type of Impact	Budget Year FY 2025-26	Out Year FY 2026-27
State Revenue	\$0	\$0
State Expenditures	\$0	\$0
Transferred Funds	\$0	\$0
Change in TABOR Refunds	\$0	\$0
Change in State FTE	0.0 FTE	0.0 FTE

Summary of Legislation

Under current law, the owner of a dog that causes serious bodily injury to a veterinary health care worker, dog groomer, humane agency personnel, professional dog handler, or trainer in the performance of their duties is protected from criminal liability unless the owner is subject to an existing court order regarding their dog. The bill removes this exemption if the dog inflicts serious bodily injury to these professionals. Serious bodily injuries encompass severe injuries and those that involve a substantial risk of death.

Comparable Crime Analysis

Legislative Council Staff is required to include certain information in the fiscal note for any bill that creates a new crime, changes the classification of an existing crime, or creates a new factual basis for an existing crime. The following section outlines crimes that are comparable to the offense in this bill and discusses assumptions on future rates of criminal convictions resulting from the bill.

Prior Conviction Data and Assumptions

This bill creates a new factual basis for the existing offense of unlawful ownership of a dangerous dog that caused serious bodily injury, a class 1 misdemeanor for a first offense and a class 6 felony for a second or subsequent offense, by removing an exemption for serious bodily injuries to certain animal care professionals in the performance of their duties. From FY 2021-22 to FY 2023-24, 62 people have been convicted and sentenced for the class 1 misdemeanor offense. Of the persons convicted, 36 were male, and 26 were female. Demographically, 39 were White, 2 were Black/African American, 3 were Hispanic, 1 was Asian, and 17 were classified as "Other." No persons were convicted for a felony second offense. The fiscal note assumes there will be minimal case filings and convictions as a result of this bill given that the bill is removing an exemption that applies to a narrow set of circumstances, and the relatively low yearly average of about 21 convictions for the existing offense. Visit leg.colorado.gov/fiscalnotes for more information about criminal justice costs in fiscal notes.

State Revenue and Expenditures

Based on the assumptions above, this analysis assumes that there will be a minimal impact on state revenue and expenditures. Under the bill, criminal fines and court fees, which are subject to TABOR, may increase by a minimal amount. Similarly, any increase in workload and costs for the Judicial Department, including the trial courts, Division of Probation, agencies that provide representation to indigent persons, and the Department of Corrections are assumed to be minimal and no change in appropriations is required.

Local Government

Similar to the state, it is expected that any workload or cost increases for district attorneys to prosecute more offenses, or for county jails to imprison more individuals under the bill will be minimal. District attorney offices and county jails are funded by counties.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Agriculture

Judicial

District Attorneys