

CHAPTER 144

AGRICULTURE

SENATE BILL 97-167

BY SENATORS Hernandez, Ament, Bishop, Johnson, Martinez, Phillips, Powers, Rupert, and Wattenberg;
also REPRESENTATIVES Entz, Gordon, Mace, Reeser, Udall, Schwarz, and Tupa.

AN ACT

CONCERNING AUTHORIZATION FOR A STUDY OF CERTAIN HYBRID ANIMALS.

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

SECTION 1. Title 35, Colorado Revised Statutes, 1995 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW ARTICLE to read:

**ARTICLE 81
Hybrid Animals**

35-81-101. Legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY DETERMINES AND DECLARES THAT:

(a) HYBRID CANIDS AND FELINES MAY POSE A SIGNIFICANT THREAT TO OTHER ANIMALS AND HUMANS BECAUSE OF THEIR UNPREDICTABLE NATURE;

(b) WOLF HYBRIDS IN PARTICULAR MAY POSE A THREAT TO HUMANS AND HAVE BEEN DECLARED RESPONSIBLE FOR KILLING TWO CHILDREN EACH YEAR IN THE UNITED STATES;

(c) TEN STATES PROHIBIT THE BREEDING AND MAINTENANCE OF WOLF HYBRIDS;

(d) MOST HYBRID CANIDS AND FELINES ARE ABANDONED OR KILLED WHEN THEY REACH TWO TO THREE YEARS OF AGE AND EXHIBIT THEIR WILD NATURE, AND SOME ULTIMATELY ARE CONTAINED IN HYBRID-ANIMAL REFUGES.

(2) THE GENERAL ASSEMBLY FURTHER DETERMINES THAT PROBLEMS CAUSED BY HYBRID CANIDS AND FELINES, AND THE LACK OF DEFINITIVE INFORMATION CONCERNING THE SAME, WARRANT A STUDY OF:

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(a) THE BEHAVIOR OF SUCH ANIMALS;

(b) THE EXTENT OF THE PROBLEM IN THIS STATE RESULTING FROM OR PROJECTED TO RESULT FROM HYBRID CANIDS AND FELINES;

(c) THE REGULATION OF THE BREEDING, CARE, AND MAINTENANCE OF HYBRID CANIDS AND FELINES THAT IS NECESSARY TO PROTECT THE HEALTH, WELFARE, AND SAFETY OF THE RESIDENTS OF THIS STATE AND LIVESTOCK AND OTHER ANIMAL LIFE.

35-81-102. Study of hybrid animals. (1) THE COMMISSIONER OF THE DEPARTMENT OF AGRICULTURE IS HEREBY AUTHORIZED TO APPOINT AND CONVENE AN ADVISORY GROUP TO STUDY THE BEHAVIOR OF HYBRID CANIDS AND FELINES INCLUDING, BUT NOT LIMITED TO, WOLF HYBRIDS, WHICH STUDY SHALL INCLUDE A REVIEW OF ANY INCIDENTS INVOLVING PROPERTY DAMAGE AND PERSONAL INJURY CAUSED BY SUCH ANIMALS. THE ADVISORY GROUP SHALL CONSIST OF THE COMMISSIONER OF THE DEPARTMENT OF AGRICULTURE OR THE COMMISSIONER'S DESIGNEE, A VETERINARIAN, REPRESENTATIVES FROM THE DIVISION OF WILDLIFE, WOLF-REFUGE OWNERS, HYBRID CANID OR FELINE BREEDERS, ANIMAL-WELFARE AGENCIES, AND THE AGRICULTURAL AND ENVIRONMENTAL COMMUNITIES.

(2) NO LATER THAN JANUARY 15, 1998, THE DEPARTMENT SHALL PRESENT LEGISLATIVE COMMITTEES OF REFERENCE WITH A SUMMARY OF ITS FINDINGS, INCLUDING, IF NECESSARY, PROPOSALS FOR LEGISLATION.

(3) FOR PURPOSES OF SECTION 35-81-101 AND THIS SECTION, A "HYBRID CANID OR FELINE" MEANS AN ANIMAL PRODUCED BY BREEDING A WILD CANID OR FELINE WITH A DOMESTIC CANID OR FELINE, AND THAT ANIMAL'S PROGENY. "WOLF HYBRID" MEANS AN ANIMAL PRODUCED BY BREEDING A WOLF WITH A DOMESTIC CANINE, AND THAT ANIMAL'S PROGENY.

SECTION 2. No appropriation. The general assembly has determined that this act can be implemented within existing appropriation within the department of agriculture, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 24, 1997