

CHAPTER 90

PROFESSIONS AND OCCUPATIONS

HOUSE BILL 08-1042

BY REPRESENTATIVE(S) McKinley, Butcher, Gallegos, Gardner C., Loper, McFadyen, McGihon, McNulty, Rose, Sonnenberg, Stafford, Swalm, and Todd;
also SENATOR(S) Brophy, Tochtrop, and Tupa.

AN ACT

CONCERNING AN EXEMPTION FROM THE "COLORADO VETERINARY PRACTICE ACT" FOR TRAINED ANIMAL MASSAGE PRACTITIONERS.

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

SECTION 1. 12-64-104 (1), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

12-64-104. License requirements and exceptions - definitions. (1) No person may practice veterinary medicine in this state who is not a licensed veterinarian. No person may practice artificial insemination or ova transplantation of cattle or other animal species in this state except in accordance with section 12-64-105 (9) (c). This article shall not be construed to prohibit:

(o) (I) ANY PERSON FROM PERFORMING MASSAGE ON AN ANIMAL IF:

(A) THE PERSON DOES NOT PRESCRIBE DRUGS, PERFORM SURGERY, OR DIAGNOSE MEDICAL CONDITIONS; AND

(B) THE PERSON HAS EARNED A DEGREE OR CERTIFICATE IN ANIMAL MASSAGE FROM A SCHOOL APPROVED BY THE PRIVATE OCCUPATIONAL SCHOOL DIVISION OF THE COLORADO DEPARTMENT OF HIGHER EDUCATION UNDER ARTICLE 59 OF THIS TITLE, AN OUT-OF-STATE SCHOOL OFFERING AN ANIMAL MASSAGE PROGRAM WITH AN ACCREDITATION RECOGNIZED BY THE UNITED STATES DEPARTMENT OF EDUCATION, OR A SCHOOL THAT IS EXEMPT UNDER SECTION 12-59-104.

(II) AS USED IN THIS PARAGRAPH (o):

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) "MASSAGE" MEANS A METHOD OF TREATING THE BODY FOR REMEDIAL OR HYGIENIC PURPOSES THROUGH TECHNIQUES THAT INCLUDE, WITHOUT LIMITATION, RUBBING, STROKING, KNEADING, OR TAPPING WITH THE HAND OR AN INSTRUMENT OR BOTH. THESE TECHNIQUES MAY BE APPLIED WITH OR WITHOUT THE AID OF A MASSAGE DEVICE THAT MIMICS THE ACTIONS POSSIBLE USING HUMAN HANDS.

SECTION 2. Effective date - applicability. (1) This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

(2) The provisions of this act shall apply to treatment of animals occurring on or after the applicable effective date of this act.

Approved: April 3, 2008