

## CHAPTER 78

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**COURTS**


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**SENATE BILL 10-080**

BY SENATOR(S) Newell, Steadman, Bacon, Gibbs, Hudak, Johnston, Morse, Romer, Sandoval, Tapia, Tochtrop, Williams, Heath, Schwartz, Shaffer B.;  
also REPRESENTATIVE(S) Frangas, Todd, Apuan, Casso, Court, Hullinghorst, King S., Labuda, Looper, Nikkel, Peniston, Primavera, Schafer S., Solano, Tyler, Vigil.

**AN ACT****CONCERNING ALLOWING COURT-ENTERED CIVIL PROTECTION ORDERS TO INCLUDE DIRECTIVES CONCERNING ANIMALS.**

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

**SECTION 1.** 13-14-101 (1) (e) and (2), the introductory portion to 13-14-101 (2.4)(a), and 13-14-101 (2.4) (a) (IV), Colorado Revised Statutes, are amended, and the said 13-14-101 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

**13-14-101. Definitions.** For purposes of this article, unless the context otherwise requires:

(1) "Abuse of the elderly or of an at-risk adult" means mistreatment of a person who is sixty years of age or older or who is an at-risk adult as defined in section 26-3.1-101 (1), C.R.S., including but not limited to repeated acts that:

(e) Result in the misuse of power or authority granted to a person through a power of attorney or by a court in a guardianship or conservatorship proceeding that results in unreasonable confinement or restriction of liberty; OR

(f) CONSTITUTE THREATS OR ACTS OF VIOLENCE AGAINST, OR THE TAKING, TRANSFERRING, CONCEALING, HARMING, OR DISPOSING OF, AN ANIMAL OWNED, POSSESSED, LEASED, KEPT, OR HELD BY THE ELDERLY OR AT-RISK ADULT, WHICH THREATS OR ACTS ARE INTENDED TO COERCE, CONTROL, PUNISH, INTIMIDATE, OR EXACT REVENGE UPON THE ELDERLY OR AT-RISK ADULT.

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

(2) "Domestic abuse" means any act or threatened act of violence that is committed by any person against another person to whom the actor is currently or was formerly related, or with whom the actor is living or has lived in the same domicile, or with whom the actor is involved or has been involved in an intimate relationship. "Domestic abuse" may also include any act or threatened act of violence against:

(a) The minor children of either of the parties; OR

(b) AN ANIMAL OWNED, POSSESSED, LEASED, KEPT, OR HELD BY EITHER OF THE PARTIES OR BY A MINOR CHILD OF EITHER OF THE PARTIES, WHICH THREAT OR ACT IS INTENDED TO COERCE, CONTROL, PUNISH, INTIMIDATE, OR EXACT REVENGE UPON EITHER OF THE PARTIES OR A MINOR CHILD OF EITHER OF THE PARTIES.

(2.4) (a) "Protection order" means any order that prohibits the restrained person from contacting, harassing, injuring, intimidating, molesting, threatening, or touching any protected person, OR FROM THREATENING, TAKING, TRANSFERRING, CONCEALING, HARMING, OR DISPOSING OF AN ANIMAL OWNED, POSSESSED, LEASED, KEPT, OR HELD BY A PROTECTED PERSON, or from entering or remaining on premises, or from coming within a specified distance of a protected person or premises or any other provision to protect the protected person from imminent danger to life or health that is issued by a court of this state or a municipal court and that is issued pursuant to:

(IV) Any other order of a court that prohibits a person from contacting, harassing, injuring, intimidating, molesting, threatening, or touching any A person, OR FROM THREATENING, TAKING, TRANSFERRING, CONCEALING, HARMING, OR DISPOSING OF AN ANIMAL OWNED, POSSESSED, LEASED, KEPT, OR HELD BY A PERSON, or from entering or remaining on premises, or from coming within a specified distance of a protected person or premises.

**SECTION 2.** 13-14-102 (15), Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS to read:

**13-14-102. Civil protection orders - legislative declaration.** (15) A municipal court of record that is authorized by its municipal governing body to issue protection or restraining orders and any county court, in connection with issuing a civil protection order, shall have original concurrent jurisdiction with the district court to issue such additional orders as the municipal or county court deems necessary for the protection of persons. Such additional orders may include, but are not limited to:

(f.2) RESTRAINING A PARTY FROM THREATENING, MOLESTING, INJURING, KILLING, TAKING, TRANSFERRING, ENCUMBERING, CONCEALING, OR DISPOSING OF AN ANIMAL OWNED, POSSESSED, LEASED, KEPT, OR HELD BY ANY OTHER PARTY, A MINOR CHILD OF ANY OTHER PARTY, OR AN ELDERLY OR AT-RISK ADULT;

(f.4) SPECIFYING ARRANGEMENTS FOR POSSESSION AND CARE OF AN ANIMAL OWNED, POSSESSED, LEASED, KEPT, OR HELD BY ANY OTHER PARTY, A MINOR CHILD OF ANY OTHER PARTY, OR AN ELDERLY OR AT-RISK ADULT.

**SECTION 3.** 13-14-103 (1) (b) (III), Colorado Revised Statutes, is amended, and the said 13-14-103 (1) (b) is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBPARAGRAPHS, to read:

**13-14-103. Emergency protection orders.** (1) (b) An emergency protection order issued pursuant to this subsection (1) may include:

(III) Awarding temporary care and control of any minor child of a party involved;  
or

(V) RESTRAINING A PARTY FROM THREATENING, MOLESTING, INJURING, KILLING, TAKING, TRANSFERRING, ENCUMBERING, CONCEALING, OR DISPOSING OF AN ANIMAL OWNED, POSSESSED, LEASED, KEPT, OR HELD BY ANY OTHER PARTY, A MINOR CHILD OF EITHER OF THE PARTIES, OR AN ELDERLY OR AT-RISK ADULT; OR

(VI) SPECIFYING ARRANGEMENTS FOR POSSESSION AND CARE OF AN ANIMAL OWNED, POSSESSED, LEASED, KEPT, OR HELD BY ANY OTHER PARTY, A MINOR CHILD OF EITHER OF THE PARTIES, OR AN ELDERLY OR AT-RISK ADULT.

**SECTION 4. Specified effective date.** This act shall take effect July 1, 2010.

**SECTION 5. 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 12, 2010