

CHAPTER 208

GOVERNMENT - LOCAL

SENATE BILL 13-226

BY SENATOR(S) Balmer and Guzman, Giron, Jahn, Jones, Kefalas, King, Lundberg, Newell, Steadman, Tochtrop, Todd; also REPRESENTATIVE(S) Court and Coram, Fields, Foote, Gardner, Ginal, Hamner, Hullinghorst, Kagan, Landgraf, Lebsock, Pabon, Pettersen, Primavera, Rosenthal, Ryden, Schafer, Singer, Tyler.

AN ACT

CONCERNING THE CREATION OF THE "DOG PROTECTION ACT".

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

SECTION 1. Legislative declaration. (1) The general assembly hereby declares that:

(a) Dogs are one of the most beloved and popular animals in the United States;

(b) According to its 2011-2012 national survey of pet owners, the American Pet Products Association estimates that there are over seventy-eight million dogs in the United States, with approximately forty-six million American households currently containing at least one dog;

(c) "Dog Fancy" magazine has recognized Colorado as one of the most dog-friendly states, and Colorado often is listed as one of the top states in per capita dog ownership;

(d) Many Coloradans cherish their dogs and consider them to be members of their families.

(2) The general assembly further finds and declares that:

(a) In Colorado alone, there are multiple instances every year of dogs being shot by local law enforcement officers;

(b) Many of those dogs are beloved pet, service and companion, sporting, and working dogs, most of which were docile and well-trained and had no history 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.

threatening behavior, and in many of these cases, the dogs were shot despite not exhibiting any signs of aggression;

(c) In the last five years alone, there have been more than thirty dog shootings by local law enforcement officers in Colorado;

(d) In its 2012 report "The Problem of Dog-Related Incidents and Encounters" (available on-line at http://cops.usdoj.gov/RIC/Resource_Detail.aspx?RID=612 when accessed on February 26, 2013), the office of community oriented policing services, a component of the United States department of justice, found that, in most police departments, the majority of intentional firearm discharges involve animals, and of those shootings, most frequently dogs.

(e) Deadly force, which should be an option of last resort, is rarely necessary to defuse the situations or mitigate any risk presented by dogs. For example, employees of landscaping companies and delivery companies routinely encounter dogs in their lines of work and are able to work successfully with dog owners to handle issues presented by their dogs without resorting to shooting dogs.

(f) These shooting tragedies cause profound grief to the dogs' owners, trauma to families and neighbors witnessing the incidents, great physical suffering to the dogs, and undermine the confidence that communities have in their law enforcement to protect and serve in an appropriate and humane manner.

(3) The general assembly further finds, determines, and declares that:

(a) Colorado's law enforcement officers perform honorably, courageously, and selflessly, and their safety remains of paramount importance;

(b) Given the high incidence of dog ownership in the state, local law enforcement officers routinely encounter dogs while performing their myriad duties;

(c) Some local law enforcement officers may not have much experience dealing with dogs and may thus have a fear of dogs or may be unfamiliar with typical dog behaviors;

(d) In discharging their firearms to shoot dogs, local law enforcement officers may experience regret for causing pain to the dog or the dog's family or for not being aware of other ways the situation could have been addressed;

(e) Increasing such officers' knowledge of, and comfort with, interactions with dogs will better protect the local law enforcement officers in the course of performing their duties; and

(f) Although some local law enforcement officers do handle dog encounters in an appropriate manner and some local law enforcement agencies already conduct training in canine behavior, there clearly exists a need to provide training to local law enforcement officers so that they are prepared to encounter dogs. There is also a clear need for local law enforcement agencies to establish and follow local policies setting forth the appropriate methods to handle those encounters, which methods take into account a range of nonlethal alternatives and allow dogs to be

controlled or removed by their owners.

(4) The general assembly finds and declares that it is necessary and appropriate to require local law enforcement officers to receive training on differentiating between aggressive and nonthreatening dog behaviors, learn to utilize alternatives to lethal force, learn how to properly utilize animal control officers, and allow dog owners an opportunity to intervene and save their dogs, as the totality of the circumstances warrant. It is the intent of the general assembly, in creating this act, to eliminate or reduce the number of dogs shot in the context of law enforcement encounters. In order to prevent or reduce the shooting of dogs in the state, while maximizing local control by allowing local law enforcement agencies to most effectively and appropriately determine how to comply with the requirements of this act, the general assembly further intends that local law enforcement agencies develop and implement training and written policies and procedures in accordance with this act.

SECTION 2. In Colorado Revised Statutes, **add** 29-5-112 as follows:

29-5-112. Dog interactions with local law enforcement officers - training to be provided by local law enforcement agencies - policies and procedures - scope - task force - creation - composition - immunity - definitions - short title - legislative declaration. (1) **Short title.** THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE "DOG PROTECTION ACT".

(2) **Legislative declaration.** THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT IT IS THE POLICY OF THIS STATE TO PREVENT, WHENEVER POSSIBLE, THE SHOOTING OF DOGS BY LOCAL LAW ENFORCEMENT OFFICERS IN THE COURSE OF PERFORMING THEIR OFFICIAL DUTIES. IT IS THEREFORE THE INTENT OF THE GENERAL ASSEMBLY IN ADOPTING THIS SECTION TO:

(a) REQUIRE TRAINING FOR OFFICERS OF LOCAL LAW ENFORCEMENT AGENCIES ON DIFFERENTIATING BETWEEN CANINE BEHAVIORS THAT INDICATE IMMINENT DANGER OF ATTACK TO PERSONS AND BENIGN BEHAVIORS COMMONLY EXHIBITED BY DOGS, SUCH AS BARKING, THAT DO NOT SUGGEST OR POSE IMMINENT DANGER OF ATTACK;

(b) REQUIRE LOCAL LAW ENFORCEMENT AGENCIES IN THE STATE TO ADOPT POLICIES AND PROCEDURES FOR USE OF LETHAL AND NONLETHAL FORCE AGAINST DOGS, WHICH POLICIES AND PROCEDURES MUST:

(I) EMPHASIZE ALTERNATIVE METHODS THAT MAY BE EMPLOYED WHEN DOGS ARE ENCOUNTERED; AND

(II) ALLOW A DOG OWNER OR ANIMAL CONTROL OFFICER, WHENEVER THE OWNER OR AN ANIMAL CONTROL OFFICER IS PRESENT AND IT IS FEASIBLE, THE OPPORTUNITY TO CONTROL OR REMOVE A DOG FROM THE IMMEDIATE AREA IN ORDER TO PERMIT A LOCAL LAW ENFORCEMENT OFFICER TO DISCHARGE HIS OR HER DUTIES.

(3) **Definitions.** AS USED IN THIS SECTION:

(a) "DOG" MEANS ANY CANINE ANIMAL OWNED FOR DOMESTIC, COMPANIONSHIP, SERVICE, THERAPEUTIC, ASSISTANCE, SPORTING, WORKING, RANCHING, OR

SHEPHERDING PURPOSES.

(b) "DOG OWNER" MEANS A PERSON OWNING, POSSESSING, HARBORING, KEEPING, HAVING GUARDIANSHIP OF, HAVING FINANCIAL OR PROPERTY INTEREST IN, OR HAVING CONTROL OR CUSTODY OF, A DOG.

(c) "LICENSED VETERINARIAN" MEANS A PERSON WHO IS LICENSED PURSUANT TO ARTICLE 64 OF TITLE 12, C.R.S., TO PRACTICE VETERINARY MEDICINE IN THIS STATE.

(d) "LOCAL LAW ENFORCEMENT AGENCY" MEANS A MUNICIPAL POLICE DEPARTMENT OR A COUNTY SHERIFF'S OFFICE.

(e) "LOCAL LAW ENFORCEMENT OFFICER" MEANS ANY OFFICER IN A LOCAL LAW ENFORCEMENT AGENCY. THE TERM DOES NOT INCLUDE AN ANIMAL CONTROL OFFICER, CODE ENFORCEMENT OFFICER, OR A DEPUTY SHERIFF WHO IS ASSIGNED EXCLUSIVELY TO WORK IN JAILS, COURT SECURITY, OR ADMINISTRATION.

(4) Training required. (a) (I) EACH LOCAL LAW ENFORCEMENT AGENCY IS REQUIRED TO PROVIDE TO ITS OFFICERS TRAINING PERTAINING TO ENCOUNTERS WITH DOGS IN THE COURSE OF DUTY. AT A MINIMUM, THE TRAINING MUST COVER THE POLICIES AND PROCEDURES ADOPTED BY THE AGENCY PURSUANT TO SUBSECTION (6) OF THIS SECTION AND ASSIST OFFICERS IN ASSESSING WHAT DOG POSTURE, BARKING AND OTHER VOCALIZATIONS, AND FACIAL EXPRESSIONS TYPICALLY SIGNIFY, THE OPTIONS FOR DISTRACTING AND ESCAPING FROM A DOG, OPTIONS FOR SAFELY CAPTURING A DOG, AND DEFENSIVE OPTIONS IN DEALING WITH A DOG.

(II) EACH LOCAL LAW ENFORCEMENT AGENCY IN THE STATE SHALL:

(A) DEVELOP, BY SEPTEMBER 1, 2014, A TRAINING PROGRAM CONSISTENT WITH THE REQUIREMENTS OF THIS SECTION AND THE MINIMUM TRAINING CURRICULA DEVELOPED BY THE DOG PROTECTION TASK FORCE PURSUANT TO SUBSECTION (5) OF THIS SECTION;

(B) REQUIRE ITS CURRENT LOCAL LAW ENFORCEMENT OFFICERS TO COMPLETE THE TRAINING PROGRAM REQUIRED BY THIS SUBSECTION (4) BY JANUARY 1, 2015; AND

(C) REQUIRE ALL LOCAL LAW ENFORCEMENT OFFICERS HIRED ON OR AFTER JANUARY 1, 2015, TO COMPLETE THE TRAINING REQUIRED BY THIS SUBSECTION (4) WITHIN EACH OFFICER'S FIRST YEAR OF EMPLOYMENT.

(b) (I) IN ESTABLISHING THE TRAINING PROGRAM REQUIRED BY THIS SUBSECTION (4), A LOCAL LAW ENFORCEMENT AGENCY SHALL ADOPT OR INCORPORATE ANY MINIMUM TRAINING CURRICULA DEVELOPED BY THE DOG PROTECTION TASK FORCE CREATED IN SUBSECTION (5) OF THIS SECTION.

(II) (A) THE TRAINING PROGRAM REQUIRED BY THIS SUBSECTION (4) MUST BE WHOLLY OR PRINCIPALLY PROVIDED OR OVERSEEN BY EITHER A QUALIFIED ANIMAL BEHAVIOR EXPERT OR LICENSED VETERINARIAN. THE QUALIFIED ANIMAL BEHAVIOR EXPERT OR LICENSED VETERINARIAN SELECTED TO PROVIDE THE TRAINING MUST POSSESS THE MINIMUM QUALIFICATIONS SPECIFIED BY THE DOG PROTECTION TASK

FORCE CREATED IN SUBSECTION (5) OF THIS SECTION.

(B) NOTHING IN SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (II) REQUIRES LIVE, IN-PERSON TRAINING BE PROVIDED TO LOCAL LAW ENFORCEMENT AGENCIES BY QUALIFIED ANIMAL BEHAVIOR EXPERTS OR LICENSED VETERINARIANS.

(III) IN ORDER TO REDUCE THE COSTS OF PROVIDING THE TRAINING PROGRAM REQUIRED BY THIS SUBSECTION (4), A LOCAL LAW ENFORCEMENT AGENCY MAY DEVELOP ITS OWN WEB- OR VIDEO-BASED TRAINING OR UTILIZE SUCH TRAINING DEVELOPED BY THE DOG PROTECTION TASK FORCE UNDER SUBPARAGRAPH (III) OF PARAGRAPH (d) OF SUBSECTION (5) OF THIS SECTION, AND LOCAL LAW ENFORCEMENT AGENCIES ARE ENCOURAGED TO SEEK QUALIFIED ANIMAL BEHAVIOR EXPERTS OR LICENSED VETERINARIANS WHO WILL VOLUNTEER TO PROVIDE OR PARTICIPATE IN THE TRAINING.

(IV) A LOCAL LAW ENFORCEMENT AGENCY MAY COLLABORATE WITH COUNTY SHERIFFS OF COLORADO, INCORPORATED, THE COLORADO ASSOCIATION OF CHIEFS OF POLICE, THE COLORADO FRATERNAL ORDER OF POLICE, AND THE COLORADO VETERINARY MEDICAL ASSOCIATION, AS WELL AS NONPROFIT ORGANIZATIONS ENGAGED IN ANIMAL WELFARE, TO DEVELOP THE TRAINING PROGRAM REQUIRED BY THIS SUBSECTION (4).

(c)(I) THE TRAINING PROGRAM REQUIRED BY THIS SUBSECTION (4) MUST CONSIST OF A MINIMUM OF THREE HOURS OF TRAINING FOR LOCAL LAW ENFORCEMENT OFFICERS.

(II) NOTHING IN THIS SECTION PREVENTS A LOCAL LAW ENFORCEMENT AGENCY FROM IMPLEMENTING A TRAINING PROGRAM OR ADOPTING POLICIES AND PROCEDURES THAT EXCEED THE MINIMUM NUMBER OF HOURS OR OTHER REQUIREMENTS SET FORTH IN THIS SECTION AND BY THE DOG PROTECTION TASK FORCE PURSUANT TO SUBSECTION (5) OF THIS SECTION.

(5) **Task force.** (a) THERE IS HEREBY CREATED THE DOG PROTECTION TASK FORCE.

(b)(I) THE TASK FORCE CONSISTS OF THE FOLLOWING NINETEEN MEMBERS:

(A) THREE LICENSED VETERINARIANS APPOINTED BY THE COLORADO VETERINARY MEDICAL ASSOCIATION OR ITS SUCCESSOR ENTITY;

(B) TWO REPRESENTATIVES OF THE COLORADO FEDERATION OF ANIMAL WELFARE AGENCIES OR ITS SUCCESSOR ENTITY;

(C) ONE ANIMAL BEHAVIORIST OR ANIMAL BEHAVIOR EXPERT APPOINTED BY THE COLORADO FEDERATION OF DOG CLUBS OR ITS SUCCESSOR ENTITY;

(D) TWO REPRESENTATIVES OF THE COLORADO ASSOCIATION OF ANIMAL CONTROL OFFICERS OR ITS SUCCESSOR ENTITY;

(E) THREE SHERIFFS OR DEPUTY SHERIFFS REPRESENTING COUNTY SHERIFFS OF COLORADO, INCORPORATED, OR ITS SUCCESSOR ENTITY, ONE OF WHOM MUST HAVE

AT LEAST TWO YEARS OF EXPERIENCE WORKING IN A K-9 UNIT AND ONE OF WHOM MUST WORK IN A COUNTY WITH A POPULATION OF FEWER THAN ONE HUNDRED FIFTY THOUSAND PERSONS;

(F) THREE REPRESENTATIVES OF THE COLORADO ASSOCIATION OF CHIEFS OF POLICE OR ITS SUCCESSOR ENTITY, ONE OF WHOM MUST HAVE AT LEAST TWO YEARS OF EXPERIENCE WORKING IN A K-9 UNIT AND ONE OF WHOM MUST WORK IN A MUNICIPALITY WITH A POPULATION OF FEWER THAN TWENTY-FIVE THOUSAND PERSONS;

(G) ONE REPRESENTATIVE OF THE COLORADO FRATERNAL ORDER OF POLICE OR ITS SUCCESSOR ENTITY;

(H) THREE PERSONS APPOINTED BY THE COLORADO BAR ASSOCIATION OR ITS SUCCESSOR ENTITY, TWO OF WHOM MUST BE ATTORNEYS WITH EXPERTISE AND EXPERIENCE IN ANIMAL LAW AND DOG SHOOTING CASES, AND ONE OF WHOM MUST BE A PERSON, WHO NEED NOT BE AN ATTORNEY, WHO OWNS OR OWNED A DOG SHOT BY A LOCAL LAW ENFORCEMENT OFFICER; AND

(I) ONE MEMBER, APPOINTED BY THE COLORADO VETERINARY MEDICAL ASSOCIATION, WITH EXPERTISE IN CANINE BEHAVIOR OR OTHER ANIMAL BEHAVIOR. LICENSED VETERINARIANS AND ATTORNEYS ARE INELIGIBLE FOR APPOINTMENT UNDER THIS SUB-SUBPARAGRAPH (I).

(II) THE ENTITIES RESPONSIBLE FOR APPOINTING TASK FORCE MEMBERS SHALL NOTIFY THE COLORADO VETERINARY MEDICAL ASSOCIATION IN WRITING OF THE IDENTITY OF THEIR APPOINTEES PRIOR TO THE FIRST MEETING OF THE TASK FORCE AND UPON ANY CHANGE IN THEIR APPOINTEES.

(III) MEMBERS OF THE TASK FORCE SHALL NOT BE COMPENSATED FOR, OR REIMBURSED FOR EXPENSES INCURRED IN, ATTENDING MEETINGS OF THE TASK FORCE.

(IV) THE FOLLOWING TWO MEMBERS ARE CO-CHAIRS OF THE TASK FORCE:

(A) ONE OF THE VETERINARIANS APPOINTED PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), WHICH CO-CHAIR SHALL BE NAMED BY THE COLORADO VETERINARY MEDICAL ASSOCIATION; AND

(B) ONE OF THE MEMBERS APPOINTED PURSUANT TO EITHER SUB-SUBPARAGRAPH (E) OR (F) OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (b), AS MUTUALLY AGREED TO BY THE APPOINTING AUTHORITIES.

(c) (I) THE TASK FORCE SHALL HOLD ITS FIRST MEETING NO LATER THAN SEPTEMBER 1, 2013.

(II) (A) THE TASK FORCE SHALL MEET AS OFTEN AS NECESSARY TO COMPLETE THE TASKS DESCRIBED UNDER PARAGRAPH (d) OF THIS SUBSECTION (5) ON OR BEFORE JULY 1, 2014.

(B) AFTER JULY 1, 2014, AND PRIOR TO JANUARY 31, 2015, THE TASK FORCE

SHALL MEET AS OFTEN AS IT DEEMS NECESSARY, BUT NO LESS FREQUENTLY THAN ONCE, TO ENSURE THAT THE CURRICULUM, GUIDELINES, AND WEB-OR VIDEO-BASED TRAINING ARE IMPLEMENTED AND EFFECTIVE.

(III) THE TASK FORCE SHALL HOLD ITS MEETINGS AND STAFF THOSE MEETINGS IN A LOCATION OFFERED FOR THOSE PURPOSES BY ONE OF THE ENTITIES REPRESENTED WITH TASK FORCE MEMBERSHIP, WITH PREFERENCE ACCORDED FOR THE PRINCIPAL OFFICE OF THE COLORADO VETERINARY MEDICAL ASSOCIATION.

(d) BY JULY 1, 2014, THE TASK FORCE SHALL:

(I) DEVELOP MINIMUM TRAINING CURRICULA THAT A LOCAL LAW ENFORCEMENT AGENCY MUST USE TO FULFILL THE TRAINING REQUIREMENT OF SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (4) OF THIS SECTION;

(II) SPECIFY THE APPROPRIATE MINIMUM QUALIFICATIONS, INCLUDING EDUCATION, EXPERIENCE, OR SKILLS, THAT AN ANIMAL BEHAVIOR EXPERT OR LICENSED VETERINARIAN PROVIDING THE TRAINING PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (b) OF SUBSECTION (4) OF THIS SECTION MUST POSSESS; AND

(III) DEVELOP, USING VOLUNTEERED AND DONATED RESOURCES TO THE GREATEST EXTENT POSSIBLE, WEB- OR VIDEO-BASED TRAINING THAT MAY BE UTILIZED BY A LOCAL LAW ENFORCEMENT AGENCY TO FULFILL THE TRAINING REQUIREMENT OF SUBSECTION (4) OF THIS SECTION.

(e) THE TASK FORCE SHALL NOT RECOMMEND THAT THE TRAINING REQUIRED UNDER THIS SECTION BE CONDUCTED BY THE PEACE OFFICERS STANDARDS AND TRAINING BOARD CREATED IN PART 3 OF ARTICLE 31 OF TITLE 24, C.R.S.

(f) THE CURRICULA, QUALIFICATIONS, AND WEB- OR VIDEO-BASED INSTRUCTION DESCRIBED IN PARAGRAPH (d) OF THIS SUBSECTION (5) MUST BE READILY ACCESSIBLE BY COLORADO'S LOCAL LAW ENFORCEMENT AGENCIES ON ONE OR MORE INTERNET WEB SITES DESIGNATED BY THE TASK FORCE.

(g) THE TASK FORCE CREATED BY PARAGRAPH (a) OF THIS SUBSECTION (5) IS DISSOLVED, EFFECTIVE JANUARY 31, 2015.

(6) **Policies and procedures.** (a) (I) IN ADDITION TO THE TRAINING PROGRAM DEVELOPED UNDER SUBSECTION (4) OF THIS SECTION, NOT LATER THAN SEPTEMBER 1, 2014, EACH LOCAL LAW ENFORCEMENT AGENCY IN THE STATE SHALL ADOPT WRITTEN POLICIES AND PROCEDURES THAT ARE SPECIFICALLY DESIGNED TO ADDRESS ENCOUNTERS WITH DOGS OCCURRING IN THE COURSE OF DUTY AND THE USE OF FORCE AGAINST SUCH DOGS.

(II) AT A MINIMUM, THE POLICIES AND PROCEDURES MUST ADDRESS THE FOLLOWING:

(A) THE IDENTIFICATION AND MEANING OF COMMON CANINE BEHAVIORS, AND DIFFERENTIATING BETWEEN DOGS THAT ARE EXHIBITING BEHAVIOR THAT PUTS LOCAL LAW ENFORCEMENT OFFICERS OR OTHER PERSONS IN IMMINENT DANGER AND DOGS WHO ARE NOT ENGAGING IN SUCH BEHAVIOR;

(B) THE ALTERNATIVES TO LETHAL USE OF FORCE AGAINST DOGS;

(C) THE REASONABLE OPPORTUNITY FOR A DOG OWNER TO CONTROL OR REMOVE HIS OR HER DOG FROM THE IMMEDIATE AREA. THE POLICIES AND PROCEDURES ADOPTED IN ACCORDANCE WITH THIS SUB-SUBPARAGRAPH (C) MUST ALLOW A LOCAL LAW ENFORCEMENT OFFICER TO TAKE INTO ACCOUNT THE OFFICER'S OWN SAFETY AND THE SAFETY OF OTHER PERSONS IN THE AREA, THE AVAILABILITY OF NONLETHAL EQUIPMENT, THE FEASIBILITY OF SO ALLOWING A DOG OWNER TO ACT CONSIDERING THE TOTALITY OF THE CIRCUMSTANCES, INCLUDING THE PRESENCE OF AN ANIMAL CONTROL OFFICER OR WHETHER THE CALL IS A LOCATION THAT IS LISTED IN THE DANGEROUS DOG REGISTRY CREATED IN SECTION 35-42-115, C.R.S., OR IS A LOCATION AT WHICH ILLEGAL NARCOTICS ARE SUSPECTED TO BE MANUFACTURED OR TRAFFICKED, OR ANY EXIGENCIES THAT MAY BE PRESENT, SUCH AS WHEN THE LOCAL LAW ENFORCEMENT OFFICER IS RESPONDING TO A CALL THAT ASSERTS OR SUGGESTS THAT A PERSON HAS BEEN BITTEN BY A DOG OR IS IN PHYSICAL DANGER.

(b) EACH LOCAL LAW ENFORCEMENT AGENCY SHALL MAKE THE WRITTEN POLICIES AND PROCEDURES AVAILABLE TO THE PUBLIC FOR INSPECTION IN ACCORDANCE WITH THE "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24, C.R.S.

(7) **Immunity.** ALL TASK FORCE MEMBERS, AS VOLUNTEERS, ARE IMMUNE FROM CIVIL ACTIONS AND LIABILITIES PURSUANT TO SECTION 13-21-115.5, C.R.S.

(8) **Scope and effect.** (a) THIS SECTION APPLIES ONLY TO LOCAL LAW ENFORCEMENT AGENCIES AND IS NOT INTENDED TO AFFECT, IMPLICATE, OR ABROGATE THE AUTHORITY OF THE PEACE OFFICERS STANDARDS AND TRAINING BOARD CREATED IN PART 3 OF ARTICLE 31 OF TITLE 24, C.R.S.

(b) THIS SECTION IS NOT INTENDED TO APPLY TO SITUATIONS IN WHICH A DOG IS SHOT ACCIDENTALLY, INCLUDING WHEN A LOCAL LAW ENFORCEMENT OFFICER INTENDS TO FIRE AT A PERSON BUT INADVERTENTLY SHOOTS A DOG.

(c) NOTHING IN THIS SECTION AFFECTS OR ABROGATES THE ABILITY OF ANY DULY AUTHORIZED PERSON TO IMPOUND OR EUTHANIZE A DOG IN ACCORDANCE WITH SECTION 18-9-202.5, C.R.S., OR IN ACCORDANCE WITH ANY RESOLUTION ADOPTED PURSUANT TO SECTION 30-15-101, C.R.S.

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: May 13, 2013