

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 15-0594.01 Jerry Barry x4341

SENATE BILL 15-042

SENATE SPONSORSHIP

Sonnenberg,

HOUSE SPONSORSHIP

Becker J.,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 CONCERNING MANDATORY REPORTS OF ANIMAL ABUSE.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill specifies persons who are required to report abandonment, mistreatment, or neglect of an animal to the owner or law enforcement. It creates a class 3 misdemeanor for such a person who:

- ! Fails to report abandonment, mistreatment, or neglect of an animal within 48 hours after seeing the incident; or
- ! Knowingly files a false report of abandonment, mistreatment, or neglect of an animal.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 18-9-208.5 as
3 follows:

4 **18-9-208.5. Mandatory reporting of animal abandonment,**
5 **mistreatment, or neglect - definitions.** (1) AS USED IN THIS SECTION,
6 UNLESS THE CONTEXT OTHERWISE REQUIRES, "OWNER" MEANS THE
7 PERSON OR ENTITY OWNING THE ANIMAL OR PROPERTY ON WHICH THE
8 ANIMAL IS ALLEGED TO BE ABANDONED, MISTREATED, OR NEGLECTED AND
9 THE OWNER'S OFFICERS, MEMBERS, EMPLOYEES, AGENTS, ATTORNEYS, AND
10 REPRESENTATIVES.

11 (2) ANY PERSON OR ENTITY IDENTIFIED IN SUBSECTION (3) OF THIS
12 SECTION THAT WITNESSES OR HAS KNOWLEDGE OF ABANDONMENT,
13 MISTREATMENT, OR NEGLECT OF AN ANIMAL SHALL REPORT THE
14 ABANDONMENT, MISTREATMENT, OR NEGLECT TO THE OWNER OR LAW
15 ENFORCEMENT WITHIN FORTY-EIGHT HOURS AFTER WITNESSING OR
16 OBTAINING KNOWLEDGE OF EACH INCIDENT.

17 (3) A PERSON REQUIRED TO REPORT SUCH ABANDONMENT,
18 MISTREATMENT, OR NEGLECT INCLUDES ANY:

19 (a) VETERINARIAN, AS DEFINED IN SECTION 12-64-103, C.R.S.;

20 (b) VETERINARIAN TECHNICIAN WHO HAS GRADUATED FROM AN
21 ACCREDITED VETERINARIAN TECHNOLOGY PROGRAM AND WHO HAS
22 PASSED A NATIONAL EXAMINATION FOR VETERINARIAN TECHNICIANS;

23 (c) PROFESSIONAL DOG TRAINER WHO IS CERTIFIED BY A NATIONAL
24 ORGANIZATION OF PROFESSIONAL DOG TRAINERS;

25 (d) APPLIED ANIMAL BEHAVIORIST WHO IS CERTIFIED BY A
26 NATIONAL ASSOCIATION OF ANIMAL BEHAVIORISTS AS A CERTIFIED

- 1 APPLIED ANIMAL BEHAVIORIST OR AN ASSOCIATE CERTIFIED ANIMAL
2 BEHAVIORIST;
- 3 (e) FARRIER;
- 4 (f) PET GROOMER;
- 5 (g) CODE ENFORCEMENT OFFICER EMPLOYED BY THE STATE OR A
6 POLITICAL SUBDIVISION OF THE STATE;
- 7 (h) BRAND INSPECTOR EMPLOYED BY THE DEPARTMENT OF
8 AGRICULTURE;
- 9 (i) PET ANIMAL CARE FACILITIES ACT INSPECTOR EMPLOYED BY
10 THE DEPARTMENT OF AGRICULTURE;
- 11 (j) ANIMAL ABUSE INSPECTOR;
- 12 (k) WILDLIFE REHABILITATOR LICENSED BY THE PARKS AND
13 WILDLIFE COMMISSION;
- 14 (l) SOCIAL WORKER OR WORKER IN ANY FACILITY OR AGENCY THAT
15 IS LICENSED OR CERTIFIED PURSUANT TO PART 1 OF ARTICLE 6 OF TITLE 26,
16 C.R.S.;
- 17 (m) MENTAL HEALTH PROFESSIONAL;
- 18 (n) PSYCHOLOGIST;
- 19 (o) PEACE OFFICER, AS DESCRIBED IN SECTION 16-2.5-101, C.R.S.;
- 20 (p) LICENSED PROFESSIONAL COUNSELOR;
- 21 (q) LICENSED MARRIAGE AND FAMILY THERAPIST;
- 22 (r) PSYCHOTHERAPIST;
- 23 (s) EMPLOYEE OF THE BUREAU OF ANIMAL PROTECTION IN THE
24 DEPARTMENT OF AGRICULTURE;
- 25 (t) ANIMAL CONTROL OFFICER EMPLOYED BY THE STATE OR ANY
26 POLITICAL SUBDIVISION OF THE STATE;
- 27 (u) OWNER, OPERATOR, OR SUPERVISOR OF A FACILITY THAT CARES

1 FOR ANIMALS; AND

2 (v) ANYONE WHO HAS REASONABLE CAUSE TO KNOW OR SUSPECT
3 THAT AN ANIMAL HAS BEEN ABANDONED, MISTREATED, OR NEGLECTED.

4 (4) A PERSON SHALL NOT KNOWINGLY MAKE A FALSE REPORT OF
5 ABANDONMENT, MISTREATMENT, OR NEGLECT TO THE OWNER OR LAW
6 ENFORCEMENT.

7 (5) A VIOLATION OF THIS SECTION IS A CLASS 3 MISDEMEANOR.

8 **SECTION 2. Act subject to petition - effective date -**
9 **applicability.** (1) This act takes effect September 1, 2015; except that,
10 if a referendum petition is filed pursuant to section 1 (3) of article V of
11 the state constitution against this act or an item, section, or part of this act
12 within the ninety-day period after final adjournment of the general
13 assembly, then the act, item, section, or part will not take effect unless
14 approved by the people at the general election to be held in November
15 2016 and, in such case, will take effect on the date of the official
16 declaration of the vote thereon by the governor.

17 (2) This act applies to offenses committed on or after the
18 applicable effective date of this act.