A BILL FOR AN ACT

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

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

18-9-208.5. Mandatory reporting of animal abandonment, mistreatment, or neglect - definitions. (1) As used in this section, unless the context otherwise requires, "owner" means the person or entity owning the animal or property on which the animal is alleged to be abandoned, mistreated, or neglected and the owner's officers, members, employees, agents, attorneys, and representatives.

(2) Any person or entity identified in subsection (3) of this section that witnesses or has knowledge of abandonment, mistreatment, or neglect of an animal shall report the abandonment, mistreatment, or neglect to the owner or law enforcement within forty-eight hours after witnessing or obtaining knowledge of each incident.

(3) A person required to report such abandonment, mistreatment, or neglect includes any:

(a) Veterinarian, as defined in section 12-64-103, C.R.S.;

(b) Veterinarian technician who has graduated from an accredited veterinarian technology program and who has passed a national examination for veterinarian technicians;

(c) Professional dog trainer who is certified by a national organization of professional dog trainers;

(d) Applied animal behaviorist who is certified by a national association of animal behaviorists as a certified
APPLIED ANIMAL BEHAVIORIST OR AN ASSOCIATE CERTIFIED ANIMAL BEHAVIORIST;

(e) FARRIER;

(f) PET GROOMER;

(g) CODE ENFORCEMENT OFFICER EMPLOYED BY THE STATE OR A POLITICAL SUBDIVISION OF THE STATE;

(h) BRAND INSPECTOR EMPLOYED BY THE DEPARTMENT OF AGRICULTURE;

(i) PET ANIMAL CARE FACILITIES ACT INSPECTOR EMPLOYED BY THE DEPARTMENT OF AGRICULTURE;

(j) ANIMAL ABUSE INSPECTOR;

(k) WILDLIFE REHABILITATOR LICENSED BY THE PARKS AND WILDLIFE COMMISSION;

(l) SOCIAL WORKER OR WORKER IN ANY FACILITY OR AGENCY THAT IS LICENSED OR CERTIFIED PURSUANT TO PART 1 OF ARTICLE 6 OF TITLE 26, C.R.S.;

(m) MENTAL HEALTH PROFESSIONAL;

(n) PSYCHOLOGIST;

(o) PEACE OFFICER, AS DESCRIBED IN SECTION 16-2.5-101, C.R.S.;

(p) LICENSED PROFESSIONAL COUNSELOR;

(q) LICENSED MARRIAGE AND FAMILY THERAPIST;

(r) PSYCHOTHERAPIST;

(s) EMPLOYEE OF THE BUREAU OF ANIMAL PROTECTION IN THE DEPARTMENT OF AGRICULTURE;

(t) ANIMAL CONTROL OFFICER EMPLOYED BY THE STATE OR ANY POLITICAL SUBDIVISION OF THE STATE;

(u) OWNER, OPERATOR, OR SUPERVISOR OF A FACILITY THAT CARES
FOR ANIMALS; AND

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

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

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

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

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