A BILL FOR AN ACT

CONCERNING THE CARE OF PET ANIMALS IN THE CUSTODY OF CERTAIN PET ANIMAL FACILITIES.

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://leg.colorado.gov.)

The bill specifies the standard of care that each animal shelter and pet animal rescue is required to provide each dog and cat held in its custody.

The bill also requires each animal shelter and pet animal rescue to adopt out each dog and cat in its custody, return the animal to its owner, or transfer it to another animal shelter or pet animal rescue if the dog or cat remains in custody for more than 90 days.
Exhibits no signs of illness or injury or exhibits signs of illness or injury for which there is a realistic prognosis for a good quality of life; 

Demonstrates a willingness to interact socially with humans; and

Has not exhibited behavior that is likely to result in bodily injury or death to another animal or human being.

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds and determines that:

(a) The citizens of Colorado value pet animals and have an expectation that pet animals will be treated with respect and consideration at all times;

(b) Colorado is shaping the future of animal welfare by ensuring that there is a safe place for every homeless dog and cat and to make sure that every dog and cat receives appropriate food, water, shelter, medical care, and enrichment;

(c) It is the established practice in Colorado that no healthy, safe, and social dog or cat is euthanized solely based on the amount of time the animal is held by or in the custody of an animal shelter or pet animal rescue or limitations on sufficient space available to house the animal while the animal is being held by or in the custody of an animal shelter or pet animal rescue;

(d) Colorado has a vigorous, collaborative, and well-organized intrastate transfer program to implement this practice, resulting in the opportunity for all healthy, safe, and social dogs and cats to be placed in the community;

(e) A dog's or cat's quality of life and health includes mental and
emotional well-being as well as physical health;

(f) The citizens of Colorado also have a reasonable expectation
that dangerous dogs and cats will not be placed into the community by
animal shelters or pet animal rescues; and

(g) Colorado's goal is to create the best outcomes for homeless
dogs and cats and for the community by placing in the community dogs
and cats that are healthy and do not constitute a danger to people, other
animals, or the community.

(2) The general assembly declares that it is necessary and
appropriate to protect animals and people by establishing the "Colorado
Socially Conscious Sheltering Act".

SECTION 2. In Colorado Revised Statutes, add 35-80-106.6 as
follows:

35-80-106.6. Care of dogs and cats held by or in the custody
of animal shelters and pet animal rescues - short title - legislative
declaration. (1) THE SHORT TITLE OF THIS SECTION IS THE "COLORADO
SOCIALLY CONSCIOUS SHELTERING ACT".

(2) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES
THAT EVERY HOMELESS DOG AND CAT DESERVES APPROPRIATE SHELTER,
CARE, AND ENRICHMENT, AND THAT DOGS AND CATS THAT ARE HEALTHY,
SAFE, AND SOCIAL SHOULD BE PLACED INTO THE COMMUNITY BY ANIMAL
SHELTERS AND PET ANIMAL RESCUES.

(3) EACH ANIMAL SHELTER AND PET ANIMAL RESCUE SHALL
PROVIDE EACH DOG AND CAT HELD IN ITS CUSTODY WITH TIMELY
VETERINARY CARE TO ADDRESS AND PREVENT UNNECESSARY OR
UNJUSTIFIABLE PAIN AND SUFFERING.

(4) EACH ANIMAL SHELTER AND PET ANIMAL RESCUE SHALL
ADDRESS THE BEHAVIORAL NEEDS OF EACH DOG AND CAT HELD IN ITS
CUSTODY TO ENSURE THAT THE DOG OR CAT IS NOT HOUSED OR KEPT IN A
MANNER THAT FOSTERS OBSESSIVE-COMPULSIVE OR SELF-MUTILATING
BEHAVIOR.

(5) EACH ANIMAL SHELTER AND PET ANIMAL RESCUE SHALL ADOPT
OUT EACH DOG AND CAT IN ITS CUSTODY, RETURN THE ANIMAL TO ITS
OWNER, OR TRANSFER IT TO ANOTHER ANIMAL SHELTER OR PET ANIMAL
RESCUE IF THE DOG OR CAT:

(a) (I) EXHIBITS NO SIGNS OF ILLNESS OR INJURY; OR
(II) EXHIBITS SIGNS OF ILLNESS OR INJURY FOR WHICH THERE IS A
REALISTIC PROGNOSIS FOR A GOOD QUALITY OF LIFE;
(b) DEMONSTRATES A WILLINGNESS TO INTERACT SOCIALLY WITH
HUMANS; AND
(c) HAS NOT EXHIBITED BEHAVIOR THAT IS LIKELY TO RESULT IN
BODILY INJURY OR DEATH TO ANOTHER ANIMAL OR HUMAN BEING.

SECTION 3. Act subject to petition - effective date. This act
takes effect at 12:01 a.m. on the day following the expiration of the
ninety-day period after final adjournment of the general assembly (August
5, 2020, if adjournment sine die is on May 6, 2020); 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 such period, 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 2020 and, in such case, will take effect on the date of the
official declaration of the vote thereon by the governor.