

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 24-0659.01 Clare Haffner x6137

SENATE BILL 24-045

SENATE SPONSORSHIP

Liston,

HOUSE SPONSORSHIP

Rutinel and Taggart,

Senate Committees

Agriculture & Natural Resources

House Committees

A BILL FOR AN ACT

101 **CONCERNING MODIFICATIONS TO THE EXEMPTIONS FROM THE**
102 **STERILIZATION REQUIREMENT UNDER THE "PET ANIMAL CARE**
103 **AND FACILITIES ACT".**

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 "Pet Animal Care and Facilities Act" prohibits any animal shelter or pet animal rescue (facility) from releasing a dog or cat to a prospective owner unless the animal has been sterilized, except in cases in which sterilization would jeopardize the life or health of the dog or cat. A facility in an area with limited access to licensed veterinarians may be

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

SENATE
2nd Reading Unamended
February 6, 2024

granted an exemption from the sterilization requirement by the commissioner of agriculture (commissioner). The bill:

- Removes the exemption from the sterilization requirement due to the health of the animal; and
- Prohibits facilities that import unsterilized dogs or cats into the state of Colorado from receiving an exemption from the commissioner.

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

2 **SECTION 1.** In Colorado Revised Statutes, 35-80-106.4, **amend**
3 (2) and (3)(e) as follows:

4 **35-80-106.4. Sterilization of ownerless dogs and cats required**
5 **- rules - exceptions - violations.** (2) If a licensed veterinarian declares
6 in writing that a sterilization procedure could jeopardize the life ~~or health~~
7 of the dog or cat, the procedure may be delayed until such time that a
8 veterinarian determines that the dog or cat is fit to undergo the
9 sterilization procedure. At such time, the prospective owner shall have the
10 animal sterilized. If the determination of unfitness for sterilization has
11 been made prior to release, the animal shelter or pet animal rescue may
12 release the dog or cat to the prospective owner, subject to ~~the provisions~~
13 ~~of~~ this subsection (2).

14 (3) This section does not apply to:

15 (e) A facility in an area with limited access to licensed
16 veterinarians that has been granted an exemption by the commissioner;
17 EXCEPT THAT ANY ANIMAL SHELTER OR PET ANIMAL RESCUE THAT
18 IMPORTS UNSTERILIZED DOGS OR CATS INTO THE STATE IS INELIGIBLE FOR
19 AN EXEMPTION.

20 **SECTION 2. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly; except

1 that, if a referendum petition is filed pursuant to section 1 (3) of article V
2 of the state constitution against this act or an item, section, or part of this
3 act within such period, then the act, item, section, or part will not take
4 effect unless approved by the people at the general election to be held in
5 November 2024 and, in such case, will take effect on the date of the
6 official declaration of the vote thereon by the governor.