

First Regular Session Sixty-seventh  
General Assembly STATE OF  
COLORADO

DRAFT

LLS NO. 09-0210.01 Duane Gall **SUNSET BILL Sunset Process - Senate Agriculture and**  
**Natural Resources Committee**

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**SHORT TITLE:** "Sunset Licensing Livestock Slaughterers"

**DEADLINES:** Finalize by: 01/21/2009 File by: 01/23/2009

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**A BILL FOR AN ACT**

101 **CONCERNING THE REGULATION OF SLAUGHTERERS OF LIVESTOCK**  
102 **THROUGH THE DEPARTMENT OF AGRICULTURE, AND, IN**  
103 **CONNECTION THEREWITH, ALLOWING SUCH FUNCTION TO**  
104 **EXPIRE ON SCHEDULE AND SUBJECTING THE STATE BOARD OF**  
105 **STOCK INSPECTION COMMISSIONERS AND THE OFFICE OF BRAND**  
106 **COMMISSIONER TO REVIEW AND POTENTIAL TERMINATION**  
107 **UNDER THE SUNSET LAW.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

*Capital letters indicate new material to be added to existing statute. Dashes through the words indicate deletions from existing statute.*

**Sunset Process - Senate Agriculture and Natural Resources Committee.**

Implements the recommendations of the department of regulatory agencies in its sunset review of the department of agriculture's regulation of slaughterers of livestock as follows:

☐ *Recommendation 1. Allows the licensing of slaughterers of livestock through the department of agriculture to expire as scheduled on July 1, 2009. Repeals the pertinent statutes.*

☐ *Recommendation 2. Subjects the state board of stock inspection commissioners and the office of brand commissioner to review and potential termination on July 1, 2012, under the provisions of the sunset law.*

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

2 ***Recommendation 1***

3 ***SECTION 1. Repeal.*** *Article 11 of title 12, Colorado Revised*  
4 *Statutes, is repealed.*

5 ***SECTION 2. Repeal.*** *24-34-104 (40) (k), Colorado Revised*  
6 *Statutes, is repealed as follows:*

7 ***24-34-104. General assembly review of regulatory agencies***  
8 ***and functions for termination, continuation, or reestablishment.***

9 *(40) The following agencies, functions, or both, shall terminate on July*  
10 *1, 2009:*

11 *(k) ~~The licensing of slaughterers of livestock through the~~*  
12 *~~department of agriculture in accordance with article 11 of title 12, C.R.S.;~~*

13 ***Recommendation 2***

14 ***SECTION 3.*** *35-41-101, Colorado Revised Statutes, is amended*  
15 *BY THE ADDITION OF A NEW SUBSECTION to read:*

16 ***35-41-101. State board of stock inspection commissioners***  
17 ***creation - brand commissioner - enterprise - bonds - repeal.*** *(13) THE*  
18 *PROVISIONS OF SECTION 24-34-104, C.R.S., CONCERNING THE*

19 *TERMINATION SCHEDULE FOR REGULATORY BODIES OF THE STATE UNLESS*  
1 *EXTENDED AS PROVIDED IN THAT SECTION, ARE APPLICABLE TO THE STATE*  
2 *BOARD OF STOCK INSPECTION COMMISSIONERS AND THE OFFICE OF BRAND*  
3 *COMMISSIONER.*

4 **SECTION 4.** *Article 41 of title 35, Colorado Revised Statutes, is*  
5 *amended BY THE ADDITION OF A NEW SECTION to read:*

6 **35-41-105. Repeal of article.** *THIS ARTICLE IS REPEALED,*  
7 *EFFECTIVE JULY 1, 2012. PRIOR TO SUCH REPEAL, THE LICENSING*  
8 *FUNCTIONS OF THE STATE BOARD OF STOCK INSPECTION COMMISSIONERS*  
9 *AND THE OFFICE OF BRAND COMMISSIONER SHALL BE REVIEWED AS*  
10 *PROVIDED FOR IN SECTION 24-34-104, C.R.S.*

11 **SECTION 5.** *24-34-104 (43), Colorado Revised Statutes, is*  
12 *amended BY THE ADDITION OF A NEW PARAGRAPH to read:*

13 **24-34-104. General assembly review of regulatory agencies**  
14 **and functions for termination, continuation, or reestablishment.**

15 *(43) The following agencies, functions, or both, shall terminate on July*  
16 *1, 2012:*

17 *(f) THE STATE BOARD OF STOCK INSPECTION COMMISSIONERS AND*  
18 *THE OFFICE OF BRAND COMMISSIONER, CREATED IN SECTION 35-41-101,*  
19 *C.R.S.*

20 **SECTION 6.** *11-35-101 (1), Colorado Revised Statutes, is*  
21 *amended to read:*

22 **11-35-101. Alternatives to surety bonds permitted**  
23 **requirements.** *(1) The requirement of a surety bond as a condition to*  
24 *licensure or authority to conduct business or perform duties in this state*  
25 *provided in sections 12-5.5-202 (2) (b), 12-6-111, 12-6-112, 12-6-112.2,*  
26 *12-6-512, 12-6-513, ~~12-11-101 (1) (d), 12-11-104, 12-11-106, 12-14-124~~*

27 (1), 12-59-115 (1), 12-60-509 (2.5) (b), 12-61-907, 33-4-101 (1),  
1 33-12-104 (1), 35-33-403 (3), 35-55-104 (1), 37-91-107 (2) and (3),  
2 38-29-119 (2), 39-21-105 (4), 39-27-104 (2) (a), (2) (b), (2) (c), (2) (d),  
3 (2) (e), (2.1) (a), (2.1) (b), (2.1) (c), (2.5) (a), and (2.5) (b), 39-28-105 (1),  
4 42-6-115 (3), and 42-7-301 (6), C.R.S., may be satisfied by a savings  
5 account or deposit in or a certificate of deposit issued by a state or  
6 national bank doing business in this state or by a savings account or  
7 deposit in or a certificate of deposit issued by a state or federal savings  
8 and loan association doing business in this state. Such savings account,  
9 deposit, or certificate of deposit shall be in the amount specified by  
10 statute, if any, and shall be assigned to the appropriate state agency for the  
11 use of the people of the state of Colorado. The aggregate liability of the  
12 bank or savings and loan association shall in no event exceed the amount  
13 of the deposit. For the purposes of the sections referred to in this section,  
14 "bond" includes the savings account, deposit, or certificate of deposit  
15 authorized by this section.

16 **SECTION 7.** 11-35-101.5 (1), Colorado Revised Statutes, is  
17 amended to read:

18 **11-35-101.5. Irrevocable letter of credit permitted**  
19 **requirements.** (1) Where there is the requirement of either an  
20 irrevocable letter of credit or a bond as a condition to licensure in sections  
21 12-16-106 (1) and 12-16-218 (1), C.R.S., or where an irrevocable letter  
22 of credit is permitted as an alternative to a surety bond, evidence of a  
23 savings account, deposit, or certificate of deposit meeting the  
24 requirements of section 11-35-101, as a condition to licensure or authority  
25 to conduct business or perform duties in this state, provided in sections  
26 ~~12-11-101 (1) (d), 12-11-104, 12-11-106,~~ 12-16-105 (5), 12-16-106 (1)

27 (a), 12-16-218 (1) (a), 33-4-101 (1), 33-12-104 (1), 37-91-107 (2), and  
1 39-27-104 (2.1) (c), C.R.S., the requirement shall be satisfied by an  
2 irrevocable letter of credit issued by a state or national bank or a state or  
3 federal savings and loan association doing business in this state. The  
4 requirement shall also be satisfied by an irrevocable letter of credit issued  
5 by the bank or banks for cooperatives ~~which~~ THAT are organized pursuant  
6 to federal statutes ~~and which~~ THAT serve the region in which the state of  
7 Colorado is located. Such letter of credit shall be in an amount specified  
8 by statute, if any, and shall name the appropriate state agency as  
9 beneficiary, in favor of the people of the state of Colorado.

10 **SECTION 8.** 35-33-201 (1), Colorado Revised Statutes, is  
11 amended to read:

12 **35-33-201. Processing facilities - operation.** (1) The meat  
13 processing activities of any facility licensed under this article ~~or under~~  
14 ~~article 11 of title 12, C.R.S.~~, shall be conducted in a safe and sanitary  
15 manner.

16 **SECTION 9.** 35-41-104 (3) (c), Colorado Revised Statutes, is  
17 amended to read:

18 **35-41-104. Board's authority to impose fees and charges**  
19 **rules.** (3) Inspection fees as authorized in subsections (1) and (1.5) of  
20 this section shall be collected by brand inspectors from the owners or  
21 persons in charge of said livestock before issuing any certificate when:

22 (c) ~~Livestock are consigned for slaughter to a licensed~~  
23 ~~slaughterhouse in accordance with section 12-11-111, C.R.S.;~~

24 **SECTION 10. Effective date.** This act shall take effect July 1,  
25 2009.

26 **SECTION 11. Safety clause.** The general assembly hereby finds,

1 *determines, and declares that this act is necessary for the immediate*  
2 *preservation of the public peace, health, and safety.*