

**First Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 09-0316.01 Ed DeCecco

HOUSE BILL 09-1019

HOUSE SPONSORSHIP

Peniston,

SENATE SPONSORSHIP

Foster,

House Committees
Local Government

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING CAT IDENTIFICATION.**

Bill Summary

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

Requires the owner of a cat that is 4 months or older to ensure that the cat has a form of identification on or in its body. Establishes forms of acceptable identification. Prohibits unauthorized persons from removing a cat's identification.

Permits a city to enforce the identification provisions. Requires revenue from fines related to violations of the identification provisions to be used by a city for animal-related purposes.

Requires an owner to comply with the cat identification requirement before an impounded cat may be released to the owner.

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.

Specifies that the act only applies to a city of a certain size.

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

2 **SECTION 1.** Article 15 of title 31, Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW PART to read:

4 PART 11

5 CAT IDENTIFICATION

6 **31-15-1101. Legislative declaration.** (1) THE GENERAL
7 ASSEMBLY HEREBY FINDS AND DECLARES THAT REQUIRING AN OWNER TO
8 IDENTIFY HIS OR HER CATS AND TO KEEP THAT IDENTIFICATION CURRENT
9 WOULD:

10 (a) HELP FACILITATE THE SWIFT RETURN OF LOST CATS AND HELP
11 TO INCREASE OVERALL RETURN-TO-OWNER RATES;

12 (b) PROVIDE A METHOD TO HELP DISTINGUISH BETWEEN OWNED
13 AND ABANDONED CAT POPULATIONS, WHICH ASSISTS ANIMAL CARE AND
14 CONTROL AGENCIES IN CARRYING OUT THEIR MISSIONS MORE EFFICIENTLY;

15 (c) ALLOW CITIES TO HOLD CAT OWNERS RESPONSIBLE FOR THEIR
16 CATS;

17 (d) REDUCE THE NUMBER OF UNWANTED OR ABANDONED CATS,
18 REDUCE CAT OVERPOPULATION PROBLEMS, AND REDUCE THE COSTS TO
19 CITIES FOR EUTHANIZING AT-LARGE, ABANDONED, OR UNWANTED CATS;

20 (e) ENCOURAGE CAT OWNERS TO TAKE FULL RESPONSIBILITY FOR
21 THEIR CATS' WELFARE AND HELP OWNERS TO FURTHER VALUE THEM;

22 (f) PROVIDE REVENUE TO CITIES TO OFFSET SOME OF THE COST OF
23 ANIMAL SERVICES; AND

24 (g) HELP SUPPORT PUBLIC HEALTH AND SAFETY IN THE CONTROL
25 OF RABIES AND OTHER ZOO NOTIC DISEASES THAT CAN BE SPREAD BY

1 ABANDONED OR UNVACCINATED, AT-LARGE ANIMALS.

2 **31-15-1102. Definitions.** AS USED IN THIS PART 11, UNLESS THE
3 CONTEXT OTHERWISE REQUIRES:

4 (1) "CAT" MEANS A DOMESTICATED CAT.

5 (2) "CITY" MEANS A CITY OR CITY AND COUNTY.

6 (3) "FERAL CAT" MEANS A WILD, UNSOCIALIZED, OR UNTAMED
7 CAT.

8 (4) "OWNER" MEANS ANY PERSON WHO KEEPS, HAS PERMANENT
9 CUSTODY OF, OWNS, MAINTAINS, HARBORS, PROVIDES CARE OR
10 SUSTENANCE FOR, OR HAS CONTROL OR CHARGE OF OR RESPONSIBILITY
11 FOR A CAT OR WHO PERMITS A CAT TO HABITUALLY BE OR REMAIN ON OR
12 BE LODGED OR FED WITHIN SUCH PERSON'S PROPERTY OR PREMISES.
13 REFUSAL TO PERMIT AN ANIMAL CONTROL OFFICER TO IMPOUND A CAT
14 SHALL BE DEEMED TO BE EVIDENCE OF OWNERSHIP UNLESS OWNERSHIP OF
15 THE CAT BY ANOTHER PERSON IS ESTABLISHED.

16 **31-15-1103. Cat identification requirement - penalty for**
17 **violation.** (1) (a) THE OWNER OF A CAT THAT IS FOUR MONTHS OR OLDER
18 SHALL ENSURE THAT THE CAT HAS ON OR IN ITS BODY AT ALL TIMES A
19 FORM OF IDENTIFICATION THAT ENABLES A PROPERLY EQUIPPED LAW
20 ENFORCEMENT OFFICER OR ANIMAL CONTROL OFFICER TO READILY
21 ASCERTAIN THE NAME, CURRENT HOME ADDRESS, AND CURRENT
22 TELEPHONE NUMBER OF THE OWNER. SUCH IDENTIFICATION INCLUDES BUT
23 IS NOT LIMITED TO A DURABLE TAG AFFIXED TO THE CORRECTLY FITTING
24 COLLAR OR HARNESS OF A CAT OR A SURGICALLY IMPLANTED MICROCHIP
25 THAT IS CURRENTLY REGISTERED WITH A NATIONAL DATABASE. AN
26 OWNER WHOSE CAT IS WEARING AN ATTACHED, CURRENT LICENSE TAG
27 ISSUED BY A CITY OR A COUNTY IN WHICH THE OWNER AND THE CAT

1 RESIDE SHALL BE DEEMED TO BE IN COMPLIANCE WITH THE REQUIREMENTS
2 OF THIS SUBSECTION (1).

3 (b) PARAGRAPH (a) OF THIS SUBSECTION (1) DOES NOT APPLY TO
4 A PERSON WHO MANAGES A FERAL CAT COLONY WHERE THE FERAL CATS
5 ARE IDENTIFIED BY A TIPPED OR NOTCHED EAR.

6 (2) IT IS UNLAWFUL FOR ANY PERSON OTHER THAN THE OWNER, AN
7 ANIMAL CONTROL OFFICER, A LICENSED VETERINARIAN, A GROOMER, AN
8 EMPLOYEE OF A PET BOARDING FACILITY, AN EMPLOYEE OF A LICENSED
9 ANIMAL SHELTER, OR A PERSON AUTHORIZED BY AN ANIMAL CONTROL
10 OFFICER OR THE OWNER TO REMOVE THE IDENTIFICATION REQUIRED
11 PURSUANT TO SUBSECTION (1) OF THIS SECTION FROM A CAT.

12 (3) (a) EACH CITY MAY ENFORCE THE PROVISIONS OF THIS SECTION
13 AND ESTABLISH FINES FOR EACH VIOLATION. SUCH FINES SHALL BE PER
14 ANIMAL PER VIOLATION, AND EACH AND EVERY VIOLATION THAT GOES
15 UNREMEDIED FOR THIRTY DAYS CONSTITUTES A SUBSEQUENT OFFENSE
16 AND SUBSEQUENT FINES MAY APPLY.

17 (b) EACH PERSON FINED FOR VIOLATING THIS SECTION SHALL
18 REMIT SUCH FINES TO THE CITY CLERK WHERE THE VIOLATION OCCURRED.
19 THE REVENUE FROM THE FINES SHALL BE USED BY THE CITY FOR
20 ENFORCING ANIMAL CONTROL LAWS OR ORDINANCES OR FOR PROGRAMS
21 TO HOUSE AND CARE FOR CATS.

22 **31-15-1104. Impounded cats.** AN IMPOUNDED AT-LARGE OR
23 ROAMING CAT WITHOUT IDENTIFICATION SHALL NOT BE RELEASED TO THE
24 OWNER UNTIL THE OWNER COMPLIES WITH THE IDENTIFICATION
25 REQUIREMENTS OF SECTION 31-15-1103.

26 **31-15-1105. Application of this part.** THIS PART 11 ONLY
27 APPLIES TO A CITY WITH A POPULATION GREATER THAN ONE HUNDRED

1 THOUSAND PEOPLE. NOTHING IN THIS PART 11 SHALL PREVENT A CITY
2 FROM ENACTING MORE STRINGENT REGULATIONS.

3 **SECTION 2. Act subject to petition - effective date.** This act
4 shall take effect at 12:01 a.m. on the day following the expiration of the
5 ninety-day period after final adjournment of the general assembly that is
6 allowed for submitting a referendum petition pursuant to article V,
7 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
8 sine die is on May 6, 2009); except that, if a referendum petition is filed
9 against this act or an item, section, or part of this act within such period,
10 then the act, item, section, or part, if approved by the people, shall take
11 effect on the date of the official declaration of the vote thereon by
12 proclamation of the governor.