

Be it enacted by the People of the State of Colorado:

Title 18, Article 9 of the Colorado Revised Statutes is amended BY THE ADDITION OF A NEW SECTION to read:

§ 18-9-210. CATTLE TAIL DOCKING

§ 18-9-210(1). DEFINITIONS

AS USED IN THIS SECTION:

- (A) "CATTLE" MEANS ANY LIVING BOVINE.
- (B) "DOCK" MEANS TO CUT OR REMOVE ANY PORTION OF THE FLESH OR BONE OF AN ANIMAL'S TAIL.
- (C) "PERSON" MEANS ANY INDIVIDUAL, CORPORATION, GOVERNMENT OR GOVERNMENTAL SUBDIVISION OR AGENCY, BUSINESS TRUST, ESTATE, TRUST, LIMITED LIABILITY COMPANY, PARTNERSHIP, ASSOCIATION, OR OTHER LEGAL ENTITY.
- (D) ~~"THERAPEUTIC" MEANS FOR THE PURPOSE OF TREATING A SICK OR INJURED ANIMAL,~~ WHERE SUCH TREATMENT IS DEEMED MEDICALLY NECESSARY BY A LICENSED VETERINARIAN, AND NOT MERELY PROPHYLACTIC.

§ 18-9-210(2). PROHIBITIONS- EXCEPTIONS- PENALTY

- (A) NOTWITHSTANDING ANY PROVISION OF THE LAW TO THE CONTRARY, NO PERSON SHALL DOCK THE TAIL OF ANY CATTLE, OR PROCURE THE SAME TO BE DONE.
- (B) NOTWITHSTANDING PART (A) OF THIS SECTION, CATTLE TAIL DOCKING MAY BE PERFORMED IF:
 - (I) SUCH PROCEDURE IS PERFORMED FOR A THERAPEUTIC PURPOSE;
 - (II) THE PROCEDURE IS PERFORMED BY A LICENSED VETERINARIAN USING SUITABLE INSTRUMENTS AND UNDER HYGIENIC CONDITIONS;
 - (III) THE PROCEDURE IS CONDUCTED IN SUCH A WAY AS TO MINIMIZE ANY PAIN AND SUFFERING OF THE ANIMAL; AND
 - (IV) THE ANIMAL HAS BEEN ADEQUATELY ANESTHETIZED TO MINIMIZE THE ANIMAL'S PAIN AND SUFFERING DURING THE OPERATION.
- (C) A PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION COMMITS A CLASS 2 MISDEMEANOR
- (D) IT IS NOT AN AFFIRMATIVE DEFENSE TO ALLEGED VIOLATIONS OF THIS SECTION THAT THE TAIL OF ANY CATTLE WAS DOCKED AS AN ACCEPTABLE ANIMAL HUSBANDRY PRACTICE.

§18-9-210(3). SEVERABILITY AND APPLICABILITY – If ANY PROVISION OF THIS INITIATED STATUTE OR ITS APPLICATION TO ANY PERSON OR CIRCUMSTANCE IS HELD INVALID, THE REMAINDER OF THE INITIATED STATUTE OR THE APPLICATION OF THE PROVISION TO OTHER PERSONS OR CIRCUMSTANCES IS NOT AFFECTED.

THE PROVISIONS OF THIS SECTION ARE IN ADDITION TO, AND NOT IN LIEU OF, ANY OTHER LAWS PROTECTING ANIMAL WELFARE. THIS SECTION MAY NOT BE CONSTRUED TO LIMIT ANY STATE LAW OR RULES PROTECTING THE WELFARE OF ANIMALS OR TO PREVENT A LOCAL GOVERNING BODY FROM ADOPTING AND ENFORCING ITS OWN ANIMAL WELFARE LAWS AND REGULATIONS.

§18-9-210(4). EFFECTIVE DATE – THIS INITIATED STATUTE SHALL BECOME EFFECTIVE UPON OFFICIAL DECLARATION OF THE VOTE HEREON BY PROCLAMATION OF THE GOVERNOR, PURSUANT TO SECTION 1(4) OF ARTICLE V OF THE CONSTITUTION OF THE STATE OF COLORADO.

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