

**Second Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 08-0617.01 Duane Gall

HOUSE BILL 08-1042

HOUSE SPONSORSHIP

McKinley,

SENATE SPONSORSHIP

Brophy,

House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AN EXEMPTION FROM THE "COLORADO VETERINARY**
102 **PRACTICE ACT" FOR TRAINED ANIMAL MASSAGE**
103 **PRACTITIONERS.**

Bill Summary

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

Exempts from the "Colorado Veterinary Practice Act" persons who perform massage on animals, so long as such persons:

- ! Have earned a degree or certificate in animal massage from a state-approved or accredited school; and
- ! Do not prescribe drugs, perform surgery, or diagnose medical conditions.

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.*

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

2 **SECTION 1.** 12-64-104 (1), Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

4 **12-64-104. License requirements and exceptions - definitions.**

5 (1) No person may practice veterinary medicine in this state who is not
6 a licensed veterinarian. No person may practice artificial insemination or
7 ova transplantation of cattle or other animal species in this state except in
8 accordance with section 12-64-105 (9) (c). This article shall not be
9 construed to prohibit:

10 (o) (I) ANY PERSON FROM PERFORMING MASSAGE ON AN ANIMAL
11 IF:

12 (A) THE PERSON DOES NOT PRESCRIBE DRUGS, PERFORM SURGERY,
13 OR DIAGNOSE MEDICAL CONDITIONS; AND

14 (B) EFFECTIVE JANUARY 1, 2010, THE PERSON HAS EARNED A
15 DEGREE OR CERTIFICATE IN ANIMAL MASSAGE FROM A SCHOOL APPROVED
16 BY THE PRIVATE OCCUPATIONAL SCHOOL DIVISION OF THE COLORADO
17 DEPARTMENT OF HIGHER EDUCATION UNDER ARTICLE 59 OF THIS TITLE, AN
18 OUT-OF-STATE SCHOOL OFFERING AN ANIMAL MASSAGE PROGRAM WITH AN
19 ACCREDITATION RECOGNIZED BY THE UNITED STATES DEPARTMENT OF
20 EDUCATION, OR A SCHOOL THAT IS EXEMPT UNDER SECTION 12-59-104.

21 [REDACTED]
22 (II) AS USED IN THIS PARAGRAPH (o):

23 (A) "MASSAGE" MEANS A METHOD OF TREATING THE BODY FOR
24 REMEDIAL OR HYGIENIC PURPOSES THROUGH TECHNIQUES THAT INCLUDE,
25 WITHOUT LIMITATION, RUBBING, STROKING, KNEADING, OR TAPPING WITH
26 THE HAND OR AN INSTRUMENT OR BOTH. THESE TECHNIQUES MAY BE

1 APPLIED WITH OR WITHOUT THE AID OF A MASSAGE DEVICE THAT MIMICS
2 THE ACTIONS POSSIBLE USING HUMAN HANDS.

3 (B) "MASSAGE" DOES NOT INCLUDE CHIROPRACTIC OR
4 ACUPUNCTURE, AS DEFINED IN SECTION 12-33-102, OR THOSE ACTS OF
5 PHYSICAL THERAPY THAT FALL OUTSIDE THE SCOPE OF MASSAGE.

6 **SECTION 2. Effective date - applicability.** (1) This act shall
7 take effect at 12:01 a.m. on the day following the expiration of the
8 ninety-day period after final adjournment of the general assembly that is
9 allowed for submitting a referendum petition pursuant to article V,
10 section 1 (3) of the state constitution, (August 6, 2008, if adjournment
11 sine die is on May 7, 2008); except that, if a referendum petition is filed
12 against this act or an item, section, or part of this act within such period,
13 then the act, item, section, or part, if approved by the people, shall take
14 effect on the date of the official declaration of the vote thereon by
15 proclamation of the governor.

16 (2) The provisions of this act shall apply to treatment of animals
17 occurring on or after the applicable effective date of this act.