

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

INTRODUCED

LLS NO. 11-0056.01 Richard Sweetman

HOUSE BILL 11-1039

HOUSE SPONSORSHIP

McCann,

SENATE SPONSORSHIP

(None),

House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CLASSIFICATION OF CERTAIN UNSANCTIONED**
102 **SPORTING EVENTS AS CRUELTY TO ANIMALS.**

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://www.leg.state.co.us/billsummaries>.)

A person commits cruelty to animals if he or she intentionally, for the purpose of entertainment, sport, or contest, drags a bovine by its tail or lassos or ropes the legs of an equine.

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.** 18-9-201, Colorado Revised Statutes, is amended
3 BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS to
4 read:

5 **18-9-201. Definitions.** As used in sections 18-9-201.5, 18-9-202,
6 18-9-202.5, and 18-9-204.5, unless the context otherwise requires:

7 (2.2) "BOVINE" MEANS A COW, STEER, BULL, HEIFER, OX, OR BISON.

8 (2.6) "EQUINE" MEANS A HORSE, PONY, DONKEY, MULE, OR HINNY.

9 **SECTION 2.** 18-9-202 (1), Colorado Revised Statutes, is
10 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

11 **18-9-202. Cruelty to animals - aggravated cruelty to animals**
12 **- neglect of animals - offenses.** (1) (c) A PERSON COMMITS CRUELTY TO
13 ANIMALS IF HE OR SHE INTENTIONALLY, FOR THE PURPOSE OF
14 ENTERTAINMENT, SPORT, OR CONTEST:

15 (I) DRAGS A BOVINE BY ITS TAIL; OR

16 (II) LASSOS OR ROPES THE LEGS OF AN EQUINE.

17 **SECTION 3.** 18-9-202 (2) (b) (I), Colorado Revised Statutes, is
18 amended to read:

19 **18-9-202. Cruelty to animals - aggravated cruelty to animals**
20 **- neglect of animals - offenses.** (2) (b) (I) A second or subsequent
21 conviction under the provisions of paragraph (a) OR (c) of subsection (1)
22 of this section is a class 6 felony. A plea of nolo contendere accepted by
23 the court shall be considered a conviction for the purposes of this section.

24 **SECTION 4.** 18-1.3-506 (3), Colorado Revised Statutes, is
25 amended to read:

26 **18-1.3-506. Payment and collection of fines for class 1, 2, or 3**
27 **misdemeanors and class 1 or 2 petty offenses - release from**

1 **incarceration.** (3) For the purposes of this section, "nonviolent class 1,
2 2, or 3 misdemeanor" means a class 1, 2, or 3 misdemeanor that does not
3 involve cruelty to an animal, as described in section 18-9-202 (1) (a) OR
4 (1) (c), or the use or threat of physical force on or to a person in the
5 commission of the misdemeanor.

6 **SECTION 5.** 19-2-918.5 (1) and (3), Colorado Revised Statutes,
7 are amended to read:

8 **19-2-918.5. Sentencing - animal cruelty - anger management**
9 **treatment.** (1) In addition to any sentence imposed pursuant to this
10 section, any juvenile who has been adjudicated a juvenile delinquent for
11 the commission of cruelty to animals, as described in section 18-9-202 (1)
12 (a) OR (1) (c), C.R.S., in which the underlining factual basis of which has
13 been found by the court to include the knowing or intentional torture or
14 torment of an animal which needlessly injures, mutilates, or kills an
15 animal, may be ordered to complete an anger management treatment
16 program or any other treatment program deemed appropriate by the court.

17 (3) The disposition for any juvenile who has been adjudicated a
18 juvenile delinquent a second or subsequent time, the underlying factual
19 basis of which has been found by the court to include an act of cruelty to
20 animals, as described in section 18-9-202 (1) (a) OR (1) (c), C.R.S., shall
21 include the completion of an anger management treatment program or any
22 other treatment program deemed appropriate by the court.

23 **SECTION 6. Effective date - applicability.** This act shall take
24 effect upon passage and shall apply to offenses committed on or after said
25 date.

26 **SECTION 7. 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.