

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

PREAMENDED

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

LLS NO. 11-0590.01 Jane Ritter

HOUSE BILL 11-1151

HOUSE SPONSORSHIP

Hamner,

SENATE SPONSORSHIP

Nicholson,

House Committees
Health and Environment

Senate Committees
Local Government

A BILL FOR AN ACT

101 **CONCERNING CRUELTY TO SERVICE ANIMALS IN LAW ENFORCEMENT.**

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>.)

The bill specifically defines cruelty to a service animal being used by a peace officer or person with a disability (service animal) and requires that, in addition to any other penalty imposed, a person who is convicted of aggravated cruelty to a service animal shall make restitution for any veterinary bills and, if necessary, replacement costs of the service animal that are a result of the cruelty incident.

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.*

HOUSE
3rd Reading Unamended
February 22, 2011

HOUSE
Amended 2nd Reading
February 21, 2011

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

2 **SECTION 1.** The introductory portion to 18-9-201 and 18-9-201
3 (2), Colorado Revised Statutes, are amended to read: ==

4 **18-9-201. Definitions.** As used in THIS SECTION AND sections
5 18-9-201.5, 18-9-202, 18-9-202.5, and 18-9-204.5, unless the context
6 otherwise requires:

7 (2) "Animal" means any living dumb creature, INCLUDING A
8 SERVICE ANIMAL AS DEFINED IN SECTION 18-1.3-602 (3.5).

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11 **SECTION 2.** 18-9-202 (1.5), Colorado Revised Statutes, is
12 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

13 **18-9-202. Cruelty to animals - aggravated cruelty to animals**
14 **- cruelty to a service animal - restitution.** (1.5) (c) A PERSON COMMITS
15 CRUELTY TO A SERVICE ANIMAL IF HE OR SHE VIOLATES THE PROVISIONS
16 OF SUBSECTION (1) OF THIS SECTION WITH RESPECT TO A SERVICE ANIMAL
17 AS DEFINED IN SECTION 18-1.3-602 (3.5). WHETHER THE SERVICE ANIMAL
18 IS ON DUTY OR NOT ON DUTY. ■

19 **SECTION 3.** 18-9-202 (2), Colorado Revised Statutes, is
20 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

21 **18-9-202. Cruelty to animals - aggravated cruelty to animals**
22 **- cruelty to a service animal - restitution.** (2) (d) IF A PERSON IS
23 CONVICTED OF CRUELTY TO A SERVICE ANIMAL PURSUANT TO PARAGRAPH
24 (c) OF SUBSECTION (1.5) OF THIS SECTION, HE OR SHE SHALL BE ORDERED
25 TO MAKE RESTITUTION TO THE AGENCY OWNING THE ANIMAL AND
26 EMPLOYING THE PEACE OFFICER ■ FOR ANY VETERINARY BILLS AND

1 REPLACEMENT COSTS OF THE ANIMAL IF IT IS DISABLED OR KILLED AS A
2 RESULT OF THE CRUELTY TO ANIMALS INCIDENT.

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4 **SECTION 4. Act subject to petition - effective date.** This act
5 shall take effect at 12:01 a.m. on the day following the expiration of the
6 ninety-day period after final adjournment of the general assembly (August
7 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
8 referendum petition is filed pursuant to section 1 (3) of article V of the
9 state constitution against this act or an item, section, or part of this act
10 within such period, then the act, item, section, or part shall not take effect
11 unless approved by the people at the general election to be held in
12 November 2012 and shall take effect on the date of the official
13 declaration of the vote thereon by the governor.