



Colorado Legislative Council Staff  
**NO FISCAL IMPACT**

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**Drafting Number:** LLS 06-0249

**Date:** January 20, 2006

**Prime Sponsor(s):** Sen. Owen  
Rep. Coleman

**Bill Status:** Senate Local Government

**Fiscal Analyst:** David Porter (303-866-4375)

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**TITLE:** CONCERNING MODIFICATIONS TO THE STATUTE GOVERNING UNLAWFUL OWNERSHIP OF A DANGEROUS DOG.

### Summary of Assessment

This bill modifies the dangerous dog statute, Section 18-9-204.5, C.R.S., in several ways. The bill keeps the same criteria for the definition of a dangerous dog, but allows for prosecution on a first rather than a second incident. The bill also extends the provisions of the dangerous dog act to service and treatment providers (veterinarians, pet groomers, humane agency staff, etc.) when the dog has already been identified as a dangerous dog. Additionally, in cases where the dog is determined to be dangerous, this bill requires the dog's owner to do the following:

- post a conspicuous warning sign on the building or enclosure notifying others that a dangerous dog is housed there;
- notify the Bureau of Animal Protection within the Department of Agriculture, in writing, when there is a change, transfer, or termination of ownership;
- notify any service or treatment provider in writing, that the dog is classified as dangerous; and
- notify any prospective owner, in writing, that the dog was found to be dangerous.

The bill also changes the court's discretion when handling cases where (1) serious bodily harm or death occurs, or (2) the dog is involved in a second or subsequent offense with the *same* owner. In these cases, the court *must* place the dog in a public shelter where it will be destroyed upon exhaustion of appeals. Formerly, the court decided the disposition of the dog. The bill adds information about how to handle cases where the same dog is involved in a second offense with a *different* owner. For these cases, the court has discretion on whether to confiscate and destroy the dog. Should a dog be placed in a public shelter, current law allows the dog's owner to choose the location of impoundment. This bill requires that the location of all dog impoundments be chosen by the impounding agency.

This bill will most likely increase the number of misdemeanor cases filed in county courts. It is expected that this increase will be absorbable within the existing resources of the court. As this bill is not expected to significantly impact state or local expenditures or revenues, it is assessed as having no fiscal impact. The bill takes effect July 1, 2006.

### Departments Contacted

Agriculture

Judicial

Local Affairs

Public Safety