

# Protection of and Prevention of Cruelty to Livestock Animals

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

Article XVIII of the constitution of the state of Colorado is amended BY THE ADDITION OF A NEW SECTION to read:

## **SECTION 17. PROTECTION OF AND PREVENTION OF CRUELTY TO LIVESTOCK ANIMALS**

**(1) USE OF ACCEPTED ANIMAL HUSBANDRY PRACTICE IS NOT AN AFFIRMATIVE DEFENSE —** NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, IT IS NOT AN AFFIRMATIVE DEFENSE TO ALLEGED VIOLATIONS OF LAWS OR REGULATIONS RELATING TO THE PROTECTION OF, AND PREVENTION OF CRUELTY TO, LIVESTOCK ANIMALS THAT THE ANIMAL WAS TREATED IN ACCORDANCE WITH AN ACCEPTED ANIMAL HUSBANDRY PRACTICE.

### **(2) SEVERABILITY AND APPLICABILITY**

(a) IF ANY PROVISION OF THIS SECTION IS FOUND BY A COURT OF COMPETENT JURISDICTION TO BE UNCONSTITUTIONAL, THE REMAINING PROVISIONS ARE VALID UNLESS THE COURT HOLDS THAT THE VALID PROVISIONS ARE SO ESSENTIALLY AND INSEPARABLY CONNECTED WITH, AND SO DEPENDENT UPON, THE VOID PROVISION THAT IT CANNOT BE PRESUMED THE ENACTMENT OF THE VALID PROVISIONS WOULD HAVE OCCURRED WITHOUT THE VOID ONE; OR UNLESS THE COURT DETERMINES THAT THE VALID PROVISIONS, STANDING ALONE, ARE INCOMPLETE AND NOT CAPABLE OF BEING EXECUTED.

(b) 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.

**(3) EFFECTIVE DATE —** ALL PROVISIONS OF THIS SECTION 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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