

First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 19-0854.01 Shelby Ross x4510

**HOUSE BILL 19-1180**

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**House Committees**  
Judiciary

**Senate Committees**  
Judiciary

SENATE  
3rd Reading Unamended  
March 19, 2019

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**A BILL FOR AN ACT**  
101     **CONCERNING THE CLARIFICATION OF THE DEFINITION OF A POLICE**  
102     **WORKING HORSE FOR THE PURPOSE OF CRUELTY TO ANIMALS.**

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**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://leg.colorado.gov>.)*

SENATE  
2nd Reading Unamended  
March 18, 2019

Current law prohibits cruelty to certain animals, including a certified police working horse. However, there is no certification process for police working horses. The bill clarifies this by removing the term "certified" from the definition of police working horse and revises the definition accordingly.

HOUSE  
3rd Reading Unamended  
March 6, 2019

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

HOUSE  
Amended 2nd Reading  
March 5, 2019

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

2           **SECTION 1.** In Colorado Revised Statutes, 18-9-201, **amend** (2),  
3           (2.4), and (4.7) as follows:

4           **18-9-201. Definitions.** As used in this part 2, unless the context  
5           otherwise requires:

6           (2) "Animal" means any living dumb creature, including a  
7           certified police working dog, a ~~certified~~ police working horse, and a  
8           service animal as those terms are defined, respectively, in subsections  
9           (2.3), (2.4), and (4.7) of this section.

10           (2.4) "~~Certified police~~ "POLICE working horse" means a horse that  
11           ~~has current certification from a state or national agency or an association~~  
12           ~~that certifies police working horses, and that is part of~~ IS CURRENTLY  
13           WORKING FULL TIME OR PART TIME AS PART OF a working law enforcement  
14           team ~~AND HAS MET THE STANDARDS OF THE LAW ENFORCEMENT TEAM TO~~  
15           ~~WORK IN SUCH CAPACITY.~~

16           (4.7) "Service animal" means any animal, the services of which  
17           are used to aid the performance of official duties by a fire department, fire  
18           protection district, or governmental search and rescue agency. Unless  
19           otherwise specified, "service animal" does not include a "certified police  
20           working dog" or a "~~certified police~~ "POLICE working horse" as defined in  
21           subsection (2.3) and (2.4) of this section.

22           **SECTION 2.** In Colorado Revised Statutes, 18-9-202, **amend**  
23           (1.5)(c), (2)(a), (2)(a.5)(V), and (2)(d)(II) as follows:

24           **18-9-202. Cruelty to animals - aggravated cruelty to animals**  
25           **- service animals.** (1.5) (c) A person commits cruelty to a service animal  
26           or a certified police working dog or ~~certified~~ police working horse if he

1 or she violates the provisions of subsection (1) of this section with respect  
2 to a service animal, certified police working dog, or ~~certified~~ police  
3 working horse, as those terms are defined in section 18-9-201 (2.3), (2.4),  
4 and (4.7), whether the service animal, certified police working dog, or  
5 ~~certified~~ police working horse is on duty or not on duty.

6 (2) (a) Except as otherwise provided in subsection (2)(b) of this  
7 section, cruelty to animals, or cruelty to a service animal or certified  
8 police working dog or ~~certified~~ police working horse pursuant to  
9 subsection (1.5)(c) of this section, is a class 1 misdemeanor.

10 (a.5) (V) In addition to any other sentence imposed upon a person  
11 for a violation of any criminal law under this title 18, any person  
12 convicted of a second or subsequent conviction for any crime, the  
13 underlying factual basis of which has been found by the court to include  
14 an act of cruelty to animals, or cruelty to a service animal or a certified  
15 police working dog or ~~certified~~ police working horse pursuant to  
16 subsection (1.5)(c) of this section, is required to pay a mandatory  
17 minimum fine of one thousand dollars and is required to complete an  
18 anger management treatment program or any other appropriate treatment  
19 program.

20 (d) (II) If a person is convicted of cruelty to a certified police  
21 working dog or ~~certified~~ police working horse pursuant to subsection  
22 (1.5)(c) of this section, the court shall order him or her to make restitution  
23 to the agency or individual owning the certified police working dog or  
24 ~~certified~~ police working horse for all expenses, including any immediate  
25 and ongoing veterinary expenses related to the incident, and replacement  
26 costs for the certified police working dog or ~~certified~~ police working  
27 horse if it is permanently disabled or killed as a result of the cruelty to

1 animals incident. If the court finds that the person who is convicted of  
2 cruelty to a certified police working dog or ~~certified~~ police working horse  
3 pursuant to subsection (1.5)(c) of this section did so with malicious intent,  
4 the person shall additionally make restitution to the agency or individual  
5 owning the certified police working dog or ~~certified~~ police working horse  
6 for all training and certification costs related to the certified police  
7 working dog or ~~certified~~ police working horse.

8                   **SECTION 3.** In Colorado Revised Statutes, 18-9-209, **amend** (1)  
9 as follows:

10                   **18-9-209. Immunity for reporting cruelty to animals - false**  
11 **report - penalty.** (1) Except as otherwise provided in subsection (2) of  
12 this section, a person who, in good faith, reports a suspected incident of  
13 cruelty to animals, service animals, or certified police working dogs or  
14 ~~certified~~ police working horses, as described in section 18-9-202, to a  
15 local law enforcement agency or to the state bureau of animal protection  
16 is immune from civil liability for reporting the incident.

17                   **SECTION 4. Safety clause.** The general assembly hereby finds,  
18 determines, and declares that this act is necessary for the immediate  
19 preservation of the public peace, health, and safety.