

First Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 19-0352.01 Jery Payne x2157

SENATE BILL 19-150

SENATE SPONSORSHIP

Donovan and Sonnenberg, Coram

HOUSE SPONSORSHIP

Buentello,

Senate Committees
Agriculture & Natural Resources

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CONTINUATION OF THE REGULATION OF PUBLIC**
102 **LIVESTOCK MARKETS, AND, IN CONNECTION THEREWITH,**
103 **IMPLEMENTING THE RECOMMENDATIONS CONTAINED IN THE**
104 **2018 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY**
105 **AGENCIES.**

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/>.)

Sunset Process - Senate Agriculture and Natural Resources Committee. Sections 1 and 2 of the bill continue the regulation of public

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.

livestock markets until 2034.

Current law requires an applicant for a license to operate a public livestock market to prove financial stability, business integrity, and fiduciary responsibility and to provide a statement of assets and liability. **Section 3** repeals these provisions.

Current law requires a licensed livestock market to meet several size and premises standards. **Section 4** replaces this with a requirement that a premises have adequate facilities necessary to operate a public livestock market.

Sections 5 and 6 repeal provisions that imply that the state board of stock inspection commissioners regulate the sanitation of public livestock markets.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-34-104, **repeal**
3 (16)(a)(II); and **add** (35) as follows:

4 **24-34-104. General assembly review of regulatory agencies**
5 **and functions for repeal, continuation, or reestablishment - legislative**
6 **declaration - repeal.** (16)(a) The following agencies, functions, or both,
7 will repeal on July 1, 2019:

8 (II) ~~The licensing of public livestock markets in accordance with~~
9 ~~article 55 of title 35, C.R.S.;~~

10 (35) (a) THE FOLLOWING AGENCIES, FUNCTIONS, OR BOTH, ARE
11 SCHEDULED FOR REPEAL ON SEPTEMBER 1, 2034:

12 (I) THE LICENSING OF PUBLIC LIVESTOCK MARKETS IN
13 ACCORDANCE WITH ARTICLE 55 OF TITLE 35.

14 (b) THIS SUBSECTION (35) IS REPEALED, EFFECTIVE SEPTEMBER 1,
15 2036.

16 **SECTION 2.** In Colorado Revised Statutes, **amend** 35-55-119 as
17 follows:

18 **35-55-119. Termination of functions - repeal of article.** This
19 article ARTICLE 55 is repealed, effective ~~July 1, 2019~~. Prior to the

1 SEPTEMBER 1, 2034. BEFORE THE repeal, the licensing functions shall be
2 reviewed as provided for in OF PUBLIC LIVESTOCK MARKETS IS
3 SCHEDULED FOR REVIEW IN ACCORDANCE WITH section 24-34-104. C.R.S.

4 **SECTION 3.** In Colorado Revised Statutes, 35-55-102, **amend**
5 (1) introductory portion and (1)(b); and **repeal** (1)(f) as follows:

6 **35-55-102. License requirements.** (1) Any person, partnership,
7 or corporation may procure a license to establish and operate, for a term
8 of one year, a public livestock market within the state of Colorado by
9 making written application to the state board of stock inspection
10 commissioners. ~~which~~ THE application shall MUST provide the following:

11 (b) PROOF OF financial responsibility of the applicant in the form
12 ~~of a statement of all assets and liabilities~~ AND AMOUNT REQUIRED BY THE
13 STATE BOARD OF STOCK INSPECTION COMMISSIONERS IN ACCORDANCE
14 WITH SECTION 35-55-104 OR AS SET FORTH IN THE FEDERAL "PACKERS
15 AND STOCKYARDS ACT, 1921", 7 U.S.C. SEC. 181 ET SEQ., AS AMENDED;

16 (f) Proof of the financial stability, business integrity, and fiduciary
17 responsibility of the applicant.

18 **SECTION 4.** In Colorado Revised Statutes, 35-55-102, **amend**
19 (3) as follows:

20 **35-55-102. License requirements.** (3) Before an application for
21 license is approved TO QUALIFY FOR A LICENSE, the applicant shall MUST
22 prove ownership OF or control by lease of ~~not less than~~ six thousand
23 square feet of holding pens including ample sorting and handling alleys,
24 ~~not less than~~ ten feet wide with at least three gates in each alley that will
25 fasten across the alley; ample pens and sheds for holding and handling
26 sheep and hogs; and at least two adequate-sized pens with connecting
27 alley and usable chute for use by state and federal livestock sanitary

1 inspectors A FACILITY THAT IS ADEQUATE AS DETERMINED BY AN
2 AUTHORIZED BRAND INSPECTOR TO HOLD, HANDLE, SORT, AND INSPECT
3 LIVESTOCK.

4 **SECTION 5.** In Colorado Revised Statutes, 35-55-107, **amend**
5 (1) introductory portion and (1)(d) as follows:

6 **35-55-107. Discipline of licensees.** (1) Any violation of the
7 provisions of this ~~article~~ ARTICLE 55 or of any rule adopted and published
8 by the state board of stock inspection commissioners ~~shall be~~ IS deemed
9 sufficient cause for the state board of stock inspection commissioners to
10 revoke or suspend the license of the offending operator of ~~such~~ THE
11 public livestock market or to place on probation ~~such~~ THE licensee, and
12 the following ~~shall also be~~ ARE specific grounds for the imposition of any
13 of the disciplinary actions specified in this introductory portion:

14 (d) If ~~the state board of stock inspection commissioners finds that~~
15 the licensee has failed or refused to practice measures of sanitation and
16 inspection as ~~are required by this article or by rule or regulation of the~~
17 ~~state board of stock inspection commissioners made pursuant thereto~~
18 REQUIRED BY LAW concerning premises or vehicles used for the stabling,
19 yarding, housing, holding, or transporting of animals in the operation of
20 ~~his~~ THE LICENSEE'S public livestock market;

21 **SECTION 6.** In Colorado Revised Statutes, **amend** 35-55-109 as
22 follows:

23 **35-55-109. Sanitary conditions.** Every public livestock market
24 shall be maintained in a sanitary condition. ~~and cleaned and disinfected~~
25 ~~under the supervision of a veterinarian authorized by the state board of~~
26 ~~stock inspection commissioners when necessary.~~

27 **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.