

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 25-0411.02 Jed Franklin x5484

HOUSE BILL 25-1137

HOUSE SPONSORSHIP

Lindsay and Velasco, Garcia, Mabrey, Story

SENATE SPONSORSHIP

Winter F.,

House Committees

Agriculture, Water & Natural Resources

Senate Committees

Agriculture & Natural Resources

A BILL FOR AN ACT

101 **CONCERNING MONEY FROM THE COLORADO ADOPT A SHELTER PET**
102 **ACCOUNT USED FOR THE CARE OF COMMUNITY CATS.**

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>.)

The bill establishes a grant program to distribute money to encourage a pet animal facility, a pet animal rescue, and a spay and neuter organization located in Colorado (animal welfare facility) to trap, neuter, and return to its habitat a free-roaming domestic cat that may have a caretaker and is not socialized to humans (community cat). The adopt a shelter pet account in the pet overpopulation fund (account) provides the

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

SENATE
Amended 2nd Reading
March 25, 2025

HOUSE
3rd Reading Unamended
February 18, 2025

HOUSE
Amended 2nd Reading
February 11, 2025

funding for the grant program. The Colorado pet overpopulation authority (authority) will award the grants pursuant to the direction of the authority's board of directors (board).

A prospective grantee may only apply for a grant biannually and may not receive money in consecutive years. The authority must not favor a particular animal welfare facility's business model over another when awarding grants. A pet animal facility must be licensed and in good standing with the department of agriculture and located in Colorado to be eligible for a grant. At least 20% of the money annually awarded for all grants from the account must be for trap-neuter-return program grants. A trap-neuter-return grantee may spend grant money only on:

- Trapping, sterilizing, vaccinating, and ear-tipping community cats in Colorado;
- Veterinary care for the treatment and sterilization of community cats in Colorado;
- Education and outreach to promote public awareness of trap-neuter-return programs in Colorado and to encourage community participation;
- Training for community cat caretakers and animal control personnel in humane trapping and trap-neuter-return protocols in Colorado; and
- For an animal welfare facility that is a spay and neuter organization, veterinary materials and support for mobile clinics in Colorado.

The bill changes the composition of the board and the qualifications required to be on the board. The board member who represents the general public must not also be on the board of any animal welfare organization, and no board member may be from the same trade or industry group as another board member. The bill adds to the board a representative of No Kill Colorado or any successor organization and a representative of a spay and neuter organization.

The board must annually publish on the pet overpopulation fund website the name of each grantee receiving money from the pet overpopulation fund, the amount of each grant provided to a grantee, when a grantee received a grant, and the names of each board member.

The bill specifies that 70% of all grants awarded money from the pet overpopulation fund must be used for animal welfare facilities that are headquartered and located in a Colorado county with a population of 200,000 or less.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly

1 finds and declares that:

2 (a) The pet overpopulation fund has provided funding for grants
3 and programs that have decreased the overpopulation of Colorado's pets;

4 (b) The pet overpopulation fund is overseen by the Colorado pet
5 overpopulation authority, which is an entity not subject to administration
6 by the state government, except for the appointment of its members by the
7 commissioner of agriculture;

8 (c) The adopt a shelter pet account in the pet overpopulation fund
9 receives money donated through the sale of the adopt a shelter pet license
10 plate to be used for spaying and neutering animals in animal shelters and
11 rescues and to support overpopulation education programs;

12 (d) The allocation of money in the adopt a shelter pet account is
13 lacking in transparency and the public should have knowledge of the
14 allocation of the money;

15 (e) Colorado should not favor one shelter model or ideology over
16 another in shelter and rescue operations because all shelter and rescue
17 operations work to place pets in adoptive homes, save animal lives, work
18 in tandem with municipalities and counties, assist in the reduction of pet
19 overpopulation, and are licensed pursuant to the pet animal care facility
20 act;

21 (f) More than eighty percent of Americans support nonlethal
22 solutions like spay and neuter programs and trap-neuter-return programs
23 for managing pet and community cat populations;

24 (g) Community cats have historically faced high euthanasia rates
25 in animal shelters due to a lack of a human address and socialization;

26 (h) Trap-neuter-return is a proven humane method to manage
27 community cat populations, reduce the number of impounded community

1 cats, and decrease nuisance complaints;

2 (i) The use of trap-neuter-return programs leads to healthier, more
3 manageable community cat populations while saving taxpayer money and
4 resources;

5 (j) Colorado rural communities receive proportionately less
6 funding from the adopt a shelter pet account than urban communities and
7 have a great need for resources; and

8 (k) The implementation of trap-neuter-return programs in
9 Colorado's rural communities is crucial because services are often lacking
10 and community cat populations are expanding.

11 (2) Therefore, the general assembly further finds and declares that
12 there is a need to address the state's community cat population and that it
13 is appropriate to use money in the adopt a shelter pet account of the
14 Colorado pet overpopulation fund to support the sterilization and
15 vaccination of community cats.

16 **SECTION 2.** In Colorado Revised Statutes, 35-80-116.5, **amend**
17 (2)(a) introductory portion, (2)(a)(II), (2)(a)(IV), (2)(a)(VI), (2)(a)(VII),
18 (2)(a)(VIII), and (5)(e); and add (2)(a)(IX), (2)(a)(X), (2)(a)(XI), (3)(d),
19 (3)(e), (4.5), (5)(c.5), (8), and (9) as follows:

20 **35-80-116.5. Pet overpopulation authority - creation - duties**
21 **and powers - pet overpopulation fund - adopt a shelter pet account**
22 **- definitions.** (2) (a) The powers of the Colorado pet overpopulation
23 authority ~~shall be~~ ARE vested in a board of directors consisting of the
24 following:

25 (II) One representative of the Colorado federation of animal
26 welfare agencies or its successor organization AN ANIMAL SHELTER AS
27 DEFINED IN SECTION 35-80-102 (1);

1 (IV) One representative of an association organized for A
2 Colorado animal control officers AGENCY;

3 (VI) One member from an animal rescue organization A PET
4 ANIMAL RESCUE, AS DEFINED IN SECTION 35-80-102 (11.2);

5 (VII) One member of the general public with WHO HAS an interest
6 in animal welfare WHO IS NOT A MEMBER OF A BOARD OF ANY ANIMAL
7 WELFARE ORGANIZATION; and

8 (VIII) One representative of AN ANIMAL SHELTER, AS DEFINED IN
9 SECTION 35-80-102 (1), A PET ANIMAL RESCUE, AS DEFINED IN SECTION
10 35-80-102 (11.2), OR A VETERINARY PROFESSIONAL REGISTERED WITH THE
11 STATE BOARD OF VETERINARY MEDICINE, FROM western Colorado;

12 (IX) ONE REPRESENTATIVE OF AN ANIMAL SHELTER, AS DEFINED
13 IN SECTION 35-80-102 (1), A PET ANIMAL RESCUE, AS DEFINED IN SECTION
14 35-80-102 (11.2), OR A VETERINARY PROFESSIONAL REGISTERED WITH THE
15 STATE BOARD OF VETERINARY MEDICINE, FROM EASTERN COLORADO;

16 (X) ONE REPRESENTATIVE OF AN ANIMAL SHELTER, AS DEFINED IN
17 SECTION 35-80-102 (1), A PET ANIMAL RESCUE, AS DEFINED IN SECTION
18 35-80-102 (11.2), OR A VETERINARY PROFESSIONAL REGISTERED WITH THE
19 STATE BOARD OF VETERINARY MEDICINE, FROM SOUTHERN COLORADO;

20 AND

21 (XI) ONE REPRESENTATIVE FROM A PET ANIMAL FACILITY
22 LICENSED AND IN GOOD STANDING PURSUANT TO SECTION 35-80-104
23 LOCATED IN A COUNTY WITH A POPULATION OF FIFTY THOUSAND OR LESS.

24 ==

25 (3) (d) EXCEPT AS PROVIDED IN 35-80-116.5 (2)(a)(VII), A BOARD
26 MEMBER MAY BE A MEMBER OF A BOARD OR SUBCOMMITTEE OF A BOARD
27 OF AN ANIMAL WELFARE ORGANIZATION, BUT NO MORE THAN ONE MEMBER

1 OF THE BOARD MAY BE ON THE BOARD OR SUBCOMMITTEE OF THE BOARD
2 OF THE SAME ANIMAL WELFARE ORGANIZATION.

3 (e) A MEMBER OF THE BOARD SHALL RECUSE THEMSELF FROM ANY
4 BOARD ACTION OR VOTE IF THEY HAVE A CONFLICT OF INTEREST IN
5 RELATION TO THE BOARD ACTION OR VOTE, INCLUDING ANY ALLOCATION
6 OF FUNDING TO THE MEMBER MADE PURSUANT TO THIS SECTION.

7 (4.5) THE BOARD SHALL ANNUALLY PUBLISH ON THE PET
8 OVERPOPULATION FUND WEBSITE THE NAME OF EACH GRANTEE RECEIVING
9 MONEY FROM THE PET OVERPOPULATION FUND, THE AMOUNT OF EACH
10 GRANT PROVIDED TO A GRANTEE, WHEN A GRANTEE RECEIVED A GRANT,
11 AND THE NAMES OF EACH BOARD MEMBER.

12 (5) (c.5) AT LEAST SEVENTY PERCENT OF THE MONEY ANNUALLY
13 AWARDED FOR ALL GRANTS THAT ARE FUNDED BY THE PET
14 OVERPOPULATION FUND MUST BE ANNUALLY ALLOCATED FOR RURAL
15 COMMUNITY FACILITIES. THE BOARD SHALL CONSIDER AWARDING AT
16 LEAST FIFTY PERCENT OF THE FUNDS DESIGNATED FOR RURAL COMMUNITY
17 FACILITIES TO COUNTIES WITH A POPULATION OF FIFTY THOUSAND OR LESS.

18 (e) (I) The authority shall use the ~~moneys~~ MONEY in the adopt a
19 shelter pet account to support the ~~spay~~ SPAYING and neutering and other
20 medical costs of animals in animal shelters and rescues, ~~or~~ to support
21 overpopulation education programs, AND TO SUPPORT THE
22 TRAP-NEUTER-RETURN ESTABLISHED IN SUBSECTION (9)(b) OF THIS
23 SECTION; except that up to ten percent of the ~~moneys~~ MONEY in the adopt
24 a shelter pet account may be used for the administration of the account.

25 (II) THE COLORADO PET OVERPOPULATION AUTHORITY MUST NOT
26 FAVOR A PARTICULAR SHELTER MODEL WHEN ALLOCATING MONEY FROM
27 THE ADOPT A SHELTER PET ACCOUNT.

1 (8) A PET ANIMAL FACILITY APPLYING FOR A GRANT DESCRIBED IN
2 SUBSECTION (9)(b) OF THIS SECTION FROM THE ADOPT A SHELTER PET
3 ACCOUNT MUST BE LICENSED AND IN GOOD STANDING PURSUANT TO
4 SECTION 35-80-104.

5
6 (9) (a) AS USED IN THIS SECTION, UNLESS THE CONTEXT
7 OTHERWISE REQUIRES:

8 (I) "ANIMAL WELFARE FACILITY" MEANS A PET ANIMAL FACILITY,
9 AS DEFINED IN SECTION 35-80-102 (11), A PET ANIMAL RESCUE, AS
10 DEFINED IN SECTION 35-80-102 (11.2), OR A SPAY AND NEUTER
11 ORGANIZATION, AS DEFINED IN SUBSECTION (9)(a)(V) OF THIS SECTION.

12 (II) "COMMUNITY CAT" MEANS A FREE-ROAMING DOMESTIC CAT
13 THAT MAY HAVE A CARETAKER AND IS NOT SOCIALIZED TO HUMANS.

14 (III) "EAR-TIPPING" MEANS THE REMOVAL OF APPROXIMATELY ONE
15 QUARTER OF A COMMUNITY CAT'S LEFT EAR WHILE UNDER ANESTHESIA,
16 WHICH SERVES AS A VISUAL INDICATOR OF STERILIZATION.

17 (IV) "RURAL COMMUNITY FACILITY" MEANS AN ANIMAL WELFARE
18 FACILITY THAT IS _____ LOCATED IN A COLORADO COUNTY WITH A
19 POPULATION OF TWO HUNDRED THOUSAND OR LESS.

20 (V) "SPAY AND NEUTER ORGANIZATION" MEANS A NONPROFIT
21 ORGANIZATION PRIMARILY OFFERING SPAY AND NEUTER SERVICES
22 PERFORMED BY A LICENSED VETERINARIAN, AS DEFINED IN SECTION
23 35-80-102 (8.7).

24 ==
25 (VI) "TRAP-NEUTER-RETURN" MEANS A NONLETHAL PROCESS OF
26 HUMANELY TRAPPING, STERILIZING, VACCINATING FOR RABIES,
27 EAR-TIPPING, AND RETURNING COMMUNITY CATS TO THEIR HABITATS.

1 (b) THE AUTHORITY SHALL ESTABLISH A TRAP-NEUTER-RETURN ==
2 FUNDED BY THE ADOPT A SHELTER PET ACCOUNT. THE AUTHORITY MAY
3 AWARD MONEY FROM THE ADOPT A SHELTER PET ACCOUNT TO ANIMAL
4 WELFARE FACILITIES LOCATED IN COLORADO TO IMPLEMENT
5 TRAP-NEUTER-RETURN == FOR THE PURPOSES DESCRIBED IN SUBSECTION
6 (9)(c) OF THIS SECTION.

7 ==
8 (c) AN ANIMAL WELFARE FACILITY AWARDED MONEY FOR THE
9 TRAP-NEUTER-RETURN == IS AUTHORIZED TO SPEND THE MONEY ONLY ON:

10 (I) TRAPPING, STERILIZING, VACCINATING, AND EAR-TIPPING
11 COMMUNITY CATS IN COLORADO;

12 (II) VETERINARY CARE FOR THE TREATMENT AND STERILIZATION
13 OF COMMUNITY CATS IN COLORADO;

14 ==
15 (III) TRAINING FOR COMMUNITY CAT CARETAKERS AND ANIMAL
16 CONTROL PERSONNEL IN HUMANE TRAPPING AND TRAP-NEUTER-RETURN
17 PROTOCOLS IN COLORADO; AND

18 (IV) FOR AN ANIMAL WELFARE FACILITY THAT IS A SPAY AND
19 NEUTER ORGANIZATION, VETERINARY MATERIALS AND SUPPORT FOR
20 MOBILE CLINICS IN COLORADO.

21 **SECTION 3. Act subject to petition - effective date.** This act
22 takes effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly; except
24 that, if a referendum petition is filed pursuant to section 1 (3) of article V
25 of the state constitution against this act or an item, section, or part of this
26 act within such period, then the act, item, section, or part will not take
27 effect unless approved by the people at the general election to be held in

- 1 November 2026 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.