

**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. 25-0413.01 Josh Schultz x5486

SENATE BILL 25-085

SENATE SPONSORSHIP

Kipp and Carson, Coleman, Cutter, Exum, Jodeh, Kolker, Marchman, Michaelson Jenet, Snyder, Weissman, Winter F.

HOUSE SPONSORSHIP

Rutinel and Paschal,

Senate Committees
Health & Human Services

House Committees
Health & Human Services

A BILL FOR AN ACT

101 **CONCERNING THE ADOPTION OF ANIMALS THAT ARE TEST SUBJECTS OF**
102 **HEALTH-RELATED RESEARCH.**

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 requires a facility that uses animals for health-related research (health-related research facility) to offer a dog or cat to an animal shelter or a pet animal rescue for the purpose of adoption before euthanizing the animal. If the health-related research facility has an internal adoption program, the facility may first offer the dog or cat for adoption through the internal adoption program before offering the dog

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.

HOUSE
Amended 2nd Reading
March 28, 2025

SENATE
3rd Reading Unamended
March 5, 2025

SENATE
Amended 2nd Reading
March 4, 2025

or cat to an animal shelter or a pet animal rescue.

A health-related research facility must submit an annual report to the department of public health and environment that includes the following information for the previous year:

- The total number of dogs and cats that are used for health-related research conducted at the health-related research facility;
- The total number of dogs and cats that the health-related research facility transferred to an animal shelter or a pet animal rescue for the purpose of adoption;
- The total number of dogs and cats that the health-related research facility adopted out through an internal adoption program; and
- The name and address of each animal shelter or pet animal rescue to which the health-related research facility transferred a dog or cat for the purpose of adoption.

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

SECTION 1. In Colorado Revised Statutes, **add** article 82 to title 35 as follows:

ARTICLE 82

Animals in Health-related Research Facilities

35-82-101. Definitions. AS USED IN THIS ARTICLE 82, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ANIMAL" MEANS A LIVE VERTEBRATE, NONHUMAN ANIMAL.

(2) "ANIMAL SHELTER" HAS THE MEANING SET FORTH IN SECTION 35-80-102 (1).

(3) "CAT" MEANS A SMALL, DOMESTICATED, CARNIVOROUS MAMMAL THAT IS A MEMBER OF THE FAMILY FELIDAE, ORDER CARNIVORA.

(4) "CHEMICAL SUBSTANCE" MEANS ANY ORGANIC OR INORGANIC SUBSTANCE, INCLUDING:

(a) A DRUG, AS DEFINED IN 21 U.S.C. SEC. 321 (g)(1);

(b) A PESTICIDE, AS DEFINED IN 7 U.S.C. SEC. 136 (u);

1 (c) A CHEMICAL SUBSTANCE, AS DEFINED IN 15 U.S.C. SEC. 2602
2 (2); AND

3 (d) A FOOD ADDITIVE, AS DEFINED IN 21 U.S.C. SEC. 321 (s).

4 (5) "DEPARTMENT" MEANS THE DEPARTMENT OF AGRICULTURE
5 CREATED IN SECTION 35-1-103.

6 (6) "DOG" MEANS ANY MEMBER OF THE SPECIES CANIS FAMILIARIS.

7 (7) "HEALTH-RELATED RESEARCH" MEANS RESEARCH:

8 (a) RELATED TO THE CAUSES, PROGRESSION, DIAGNOSIS,
9 TREATMENT, CONTROL, OR PREVENTION OF PHYSICAL OR MENTAL
10 DISEASES AND IMPAIRMENTS OR CHRONIC CONDITIONS OF HUMANS OR
11 ANIMALS;

12 (b) RELATED TO THE DEVELOPMENT OF BIOMEDICAL PRODUCTS OR
13 DEVICES, AS DEFINED IN 21 U.S.C. SEC. 321 (h); OR

14 (c) TO TEST THE HEALTH EFFECTS OF CHEMICAL SUBSTANCES,
15 INGREDIENTS, MEDICAL DEVICES, VACCINES, PRODUCTS, OR PRODUCT
16 FORMULATIONS.

17 (8)(a) "HEALTH-RELATED RESEARCH FACILITY" MEANS AN ENTITY
18 THAT USES ANIMALS FOR HEALTH-RELATED RESEARCH.

19 (b) "HEALTH-RELATED RESEARCH FACILITY" DOES NOT INCLUDE
20 AN ENTITY THAT ONLY PROVIDES A BENEFICIAL SERVICE TO AN ANIMAL,
21 SUCH AS SPAYING OR NEUTERING.

22 (9) "PET ANIMAL RESCUE" HAS THE MEANING SET FORTH IN
23 SECTION 35-80-102 (11.2).

24 **35-82-102. Health-related research - dogs and cats - adoption**
25 **- reporting - conflict with federal requirements.** (1) (a) BEFORE
26 EUTHANIZING A DOG OR CAT, A HEALTH-RELATED RESEARCH FACILITY
27 SHALL OFFER THE DOG OR CAT TO AN ANIMAL SHELTER OR A PET ANIMAL

1 RESCUE FOR THE PURPOSE OF ADOPTION. IF THE HEALTH-RELATED
2 RESEARCH FACILITY HAS AN INTERNAL ADOPTION PROGRAM, THE FACILITY
3 MAY FIRST OFFER THE DOG OR CAT FOR ADOPTION THROUGH THE INTERNAL
4 ADOPTION PROGRAM BEFORE OFFERING THE DOG OR CAT TO AN ANIMAL
5 SHELTER OR A PET ANIMAL RESCUE.

6 (b) SUBSECTION (1)(a) OF THIS SECTION DOES NOT APPLY IF A
7 HEALTH-RELATED RESEARCH FACILITY EUTHANIZES A DOG OR CAT FOR
8 RESEARCH, HEALTH, OR SAFETY REASONS.

9 (2) A HEALTH-RELATED RESEARCH FACILITY MAY ENTER INTO A
10 COLLABORATIVE AGREEMENT WITH AN ANIMAL SHELTER OR A PET ANIMAL
11 RESCUE TO SATISFY THE REQUIREMENTS OF THIS SECTION.

12 (3) A HEALTH-RELATED RESEARCH FACILITY THAT ACTS IN GOOD
13 FAITH TO TRANSFER OR ADOPT OUT THROUGH AN INTERNAL ADOPTION
14 PROGRAM A DOG OR CAT TO AN ANIMAL SHELTER OR A PET ANIMAL
15 RESCUE PURSUANT TO SUBSECTION (1) OF THIS SECTION IS IMMUNE FROM
16 CIVIL LIABILITY FOR ACTS OR CIRCUMSTANCES RELATED TO OR RESULTING
17 FROM THE TRANSFER OR INTERNAL ADOPTION OF THE DOG OR CAT.

18 (4) (a) BY JANUARY 31, 2026, AND BY JANUARY 31 EACH YEAR
19 THEREAFTER, A HEALTH-RELATED RESEARCH FACILITY SHALL SUBMIT TO
20 THE DEPARTMENT, ON A FORM APPROVED BY THE DEPARTMENT, A REPORT
21 THAT INCLUDES THE FOLLOWING INFORMATION FOR THE PREVIOUS
22 CALENDAR YEAR:

23 ==
24 (I) THE TOTAL NUMBER OF DOGS AND CATS THAT THE
25 HEALTH-RELATED RESEARCH FACILITY:

26 (A) TRANSFERRED TO AN ANIMAL SHELTER OR A PET ANIMAL
27 RESCUE FOR THE PURPOSE OF ADOPTION; AND

1 (B) ADOPTED OUT THROUGH AN INTERNAL ADOPTION PROGRAM;
2 AND

3 (II) THE NAME AND ADDRESS OF EACH ANIMAL SHELTER OR PET
4 ANIMAL RESCUE TO WHICH THE HEALTH-RELATED RESEARCH FACILITY
5 TRANSFERRED A DOG OR CAT FOR THE PURPOSE OF ADOPTION.

6 (b) A HEALTH-RELATED RESEARCH FACILITY WITH AN INTERNAL
7 ADOPTION PROGRAM SHALL NOT REPORT ANY PERSONAL IDENTIFYING
8 INFORMATION ABOUT AN INDIVIDUAL INTERNAL ADOPTER.

9 (5) IF ANY PROVISION OF THIS ARTICLE 82 IS FOUND TO BE IN
10 CONFLICT WITH THE FEDERAL "ANIMAL WELFARE ACT", 7 U.S.C. SEC.
11 2131 ET SEQ., THE CONFLICTING PART OF THIS ARTICLE 82 IS INOPERATIVE
12 SOLELY TO THE EXTENT OF THE CONFLICT, AND THE FINDING OR
13 DETERMINATION SHALL NOT AFFECT THE OPERATION OF THE REMAINDER
14 OF THIS ARTICLE 82.

15 **SECTION 2. Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly; except
18 that, if a referendum petition is filed pursuant to section 1 (3) of article V
19 of the state constitution against this act or an item, section, or part of this
20 act within such period, then the act, item, section, or part will not take
21 effect unless approved by the people at the general election to be held in
22 November 2026 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.