

**Please VOTE NO on HB21-1160**  
**“Care Of Dogs And Cats In Pet Animal Facilities”**  
**Sponsors: Representatives Duran/Soper, Senators Ginal/Coram**

MaxFund, a Colorado animal shelter founded 33 years ago, and No Kill Colorado are asking for your NO VOTE on HB21-1160. We believe that protecting the lives of Colorado’s treatable homeless pets is important; **this bill does not accomplish that.** In fact, the two new definitions of “healthy” and “safe” are so broad that they are likely to negatively impact all homeless pets.

- (a) "HEALTHY" MEANS THAT A DOG OR CAT EXHIBITS NO SIGNS OF ILLNESS OR INJURY OR EXHIBITS SIGNS OF ILLNESS OR INJURY FOR WHICH THERE IS A REALISTIC PROGNOSIS FOR A GOOD QUALITY OF LIFE.
- (b) "SAFE" MEANS THAT A DOG OR CAT HAS NOT EXHIBITED BEHAVIOR THAT IS LIKELY TO RESULT IN BODILY INJURY OR DEATH TO ANOTHER ANIMAL OR HUMAN BEING.

For example, in section 2 subsection (2)(a) the definition of “healthy” includes phrases such as “realistic prognosis” and “good quality of life”. What fits the criteria of a “realistic prognosis” or a “good quality of life”? Would a disorder like megaesophagus (an enlargement of the esophagus) that requires very restricted and specific care to manage, be included in this definition? What if a dog or cat is blind? **It is not clear how the definition of “health” would be standardized or defined.**

Additionally, what defines “bodily injury”? Would a cat scratch that breaks the skin deem that animal as unsafe? **This is not clear in the definition of “safe” in this bill.**

Section 2 subsection (2)(b) notes that an animal is only considered “safe” if it “has *not exhibited behavior* that is likely to result in bodily injury or death to another animal or human being.” Does this mean that animals that are not cat or dog friendly, or bark, or chase? **This is not clear in the definition of “safe” in this bill.**

The **cost of complying to undefined violations** to this bill poses a risk to PACFA organizations in the form of fines and/or license seizure or restrictions. The Fiscal Note states "When violations are noted during an inspection, licensees are expected to correct them." AND "The bill may increase revenue from fines for violations." **PACFA organizations will require more public funds or kill treatable pets.**

These are only a few examples of many that have no clear answer in this legislation. Not only are these definitions so broad that there is little clarity, we also have no authority from PACFA to give guidance to licensees. This puts current PACFA licensed shelters, rescues and staff in potential jeopardy of revocation or legal ramification. **The authority to give direction on these definitions is not clear in this bill.**

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