

DEPARTMENT OF AGRICULTURE

Animal Industry Division

BUREAU OF ANIMAL PROTECTION RULES

8 CCR 1201-18

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

Definitions:

- (1) "Agent" means an agent of the Bureau of Animal Protection appointed by the Commissioner and approved by the Agricultural Commission.
- (2) "Commissioned officer" means an agent of the Bureau of Animal Protection approved by the Agricultural Commission.

Rules:

1. Commissioned Officers of the Bureau of Animal Protection shall inform the Commissioner of Agriculture or his agent before impounding livestock or posting bond for any animal(s) under C.R.S. 35-42-101 through C.R.S. 35-42-114 or 18-9-202.5 respectively.
2. In addition to the applicable requirements set forth in § 35-42-107, C.R.S., each applicant shall satisfy the following requirements, unless the Commissioner determines that an applicant's experience and training constitute equivalent qualification for a commission:
 - A) 8 hours training and/or classes in legal authority for animal cruelty investigations;
 - B) 10 hours animal care and control skills;
 - C) 3 hours occupational safety (zoonotic diseases, human and animal first aid etc.);
 - D) 5 hours interpersonal communication skills and creative conflict resolution;
 - E) 8 hours equine husbandry including Henneke body condition scoring;
 - F) 1 year experience in law enforcement, animal care and control or animal husbandry; and
 - G) 30 hours of continued education and training shall be completed every 3 years.
 - H) All training courses must be approved by the Commissioner prior to training.
3. The Commissioner may require any Bureau Commissioned Officer to complete continuing education classes, or may suspend or revoke the officer's commission.
4. One designated agent per agency shall submit statistics to the Bureau of Animal Protection, via the Bureau's website, indicating the number of animal cruelty/neglect investigations (by species), the number of animals impounded (by species), and the number of summonses issued on a monthly basis. Statistics for any given month shall be due on the last day of each successive month, i.e., statistics due July 31 will reflect the number of investigations that occurred during the month of June.

Failure to submit statistics may result in the Agriculture Commissioner's deciding to revoke the designated agent's commission, thus taking away any legal authority to investigate or enforce any laws normally granted under §35-42-107, C.R.S.

Statements of Basis , Specific Statutory Authority and Purpose

1. Adopted April 4, 2003 – Effective June 30, 2003

The Colorado State Agricultural Commission adopts these rules pursuant to Section C.R.S. 35-42-106.

The purpose of rule 1 is to inform the State Veterinarian's Office before any animal is impounded, and to protect the owner from having his animal(s) unnecessarily impounded, or to require an owner to post bond for an unnecessary impoundment.

The purpose of rule 2 is to have minimum education/experience requirements for BAP commission applicants.

The purpose of rule 3 is to provide choices in disciplinary action, other than commission revocation, for any problem that may arise regarding legal authority.

2. Adopted March 5, 2007 – Effective May 1, 2007

The Commissioner of Agriculture adopts these rules pursuant to § 35-42-106, C.R.S.

The purpose of rule 4 is to establish reporting requirements to aid the Bureau of Animal Protection in compiling accurate statistics to be reported to the Commissioner of Agriculture and other entities as requested. These statistics reflect work done by all agents of the Bureau as commissioned law enforcement officers as defined in § 35-42-107, C.R.S.

Editor's Notes

History

Entire rule eff. 5/1/2007.