

Civil Protection Orders and Animals

This Act allows courts when issuing a civil protection order or emergency protection order to include restraining someone from taking or harming animals owned by the person seeking the order.

Submitted as:

Colorado

[SB 10-080 \(Enrolled version\)](#)

Status: Enacted into law in 2010.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] This Act shall be cited as “An Act to Allow Court-Entered Civil
2 Protection Orders to Include Directives Concerning Animals.”

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4 Section 2. [*Definitions.*] For purposes of this Act, unless the context otherwise requires:

5 (1) “Abuse of the elderly or of an at-risk adult” means mistreatment of a person who is
6 [sixty years of age or older] or who is an at-risk adult as defined in [insert citation], including but
7 not limited to repeated acts that:

8 (a) result in the misuse of power or authority granted to a person through a power
9 of attorney or by a court in a guardianship or conservatorship proceeding that results in
10 unreasonable confinement or restriction of liberty; or

11 (b) constitute threats or acts of violence against, or the taking, transferring,
12 concealing, harming, or disposing of, an animal owned, possessed, leased, kept, or held by the
13 elderly or at-risk adult, which threats or acts are intended to coerce, control, punish, intimidate,
14 or exact revenge upon the elderly or at-risk adult.

15 (2) “Domestic abuse” means any act or threatened act of violence that is committed by
16 any person against another person to whom the actor is currently or was formerly related, or with
17 whom the actor is living or has lived in the same domicile, or with whom the actor is involved or
18 has been involved in an intimate relationship. “Domestic abuse” may also include any act or
19 threatened act of violence against the minor children of either of the parties or an animal owned,
20 possessed, leased, kept, or held by either of the parties or by a minor child of either of the parties,
21 which threat or act is intended to coerce, control, punish, intimidate, or exact revenge upon either
22 of the parties or a minor child of either of the parties.

23 (3) “Protection order” means any order that prohibits the restrained person from
24 contacting, harassing, injuring, intimidating, molesting, threatening, or touching any protected
25 person, or from threatening, taking, transferring, concealing, harming, or disposing of an animal
26 owned, possessed, leased, kept, or held by a protected person, or from entering or remaining on
27 premises, or from coming within a specified distance of a protected person or premises or any
28 other provision to protect the protected person from imminent danger to life or health that is
29 issued by a court of this state or a municipal court and that is issued pursuant to any other order
30 of a court that prohibits a person from contacting, harassing, injuring, intimidating, molesting,
31 threatening, or touching any a person, or from threatening, taking, transferring, concealing,
32 harming, or disposing of an animal owned, possessed, leased, kept, or held by a person, or from

33 entering or remaining on premises, or from coming within a specified distance of a protected
34 person or premises.

35
36 Section 3. [*Civil Protection Orders.*] A municipal court of record that is authorized by its
37 municipal governing body to issue protection or restraining orders and any county court, in
38 connection with issuing a civil protection order, shall have original concurrent jurisdiction with
39 the district court to issue such additional orders as the municipal or county court deems
40 necessary for the protection of persons. Such additional orders may include, but are not limited
41 to restraining a party from threatening, molesting, injuring, killing, taking, transferring,
42 encumbering, concealing, or disposing of an animal owned, possessed, leased, kept, or held by
43 any other party, a minor child of any other party, or an elderly or at-risk adult; or specifying
44 arrangements for possession and care of an animal owned, possessed, leased, kept, or held by
45 any other party, a minor child of any other party, or an elderly or at-risk adult.

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47 Section 4. [*Emergency Protection Orders.*] An emergency protection order issued
48 pursuant to [insert citation] may include awarding temporary care and control of any minor child
49 of a party involved; restraining a party from threatening, molesting, injuring, killing, taking,
50 transferring, encumbering, concealing, or disposing of an animal owned, possessed, leased, kept,
51 or held by any other party, a minor child of either of the parties, or an elderly or at-risk adult; or
52 specifying arrangements for possession and care of an animal owned, possessed, leased, kept, or
53 held by any other party, a minor child of either of the parties, or an elderly or at-risk adult.

54
55 Section 5. [*Severability.*] [Insert severability clause.]

56
57 Section 6. [*Repealer.*] [Insert repealer clause.]

58
59 Section 7. [*Effective Date.*] [Insert effective date.]