

Second Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO

REVISED

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

LLS NO. 08-0617.01 Duane Gall

HOUSE BILL 08-1042

HOUSE SPONSORSHIP

McKinley,

SENATE SPONSORSHIP

Brophy,

House Committees

Agriculture, Livestock, & Natural Resources

Senate Committees

Agriculture, Natural Resources & Energy

A BILL FOR AN ACT

101 CONCERNING AN EXEMPTION FROM THE "COLORADO VETERINARY
102 PRACTICE ACT" FOR TRAINED ANIMAL MASSAGE
103 PRACTITIONERS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Exempts from the "Colorado Veterinary Practice Act" persons who perform massage on animals, so long as such persons:

- ! Have earned a degree or certificate in animal massage from a state-approved or accredited school; and
- ! Do not prescribe drugs, perform surgery, or diagnose medical conditions.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

SENATE
Am ended 2nd Reading
February 25, 2008

HOUSE
3rd Reading Unam ended
January 21, 2008

HOUSE
Am ended 2nd Reading
January 18, 2008

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

2 **SECTION 1.** 12-64-104 (1), Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

4 **12-64-104. License requirements and exceptions - definitions.**

5 (1) No person may practice veterinary medicine in this state who is not
6 a licensed veterinarian. No person may practice artificial insemination or
7 ova transplantation of cattle or other animal species in this state except in
8 accordance with section 12-64-105 (9) (c). This article shall not be
9 construed to prohibit:

10 (o) (I) ANY PERSON FROM PERFORMING MASSAGE ON AN ANIMAL
11 IF:

12 (A) THE PERSON DOES NOT PRESCRIBE DRUGS, PERFORM SURGERY,
13 OR DIAGNOSE MEDICAL CONDITIONS; AND

14 (B) THE PERSON HAS EARNED A DEGREE OR CERTIFICATE IN
15 ANIMAL MASSAGE FROM A SCHOOL APPROVED BY THE PRIVATE
16 OCCUPATIONAL SCHOOL DIVISION OF THE COLORADO DEPARTMENT OF
17 HIGHER EDUCATION UNDER ARTICLE 59 OF THIS TITLE, AN OUT-OF-STATE
18 SCHOOL OFFERING AN ANIMAL MASSAGE PROGRAM WITH AN
19 ACCREDITATION RECOGNIZED BY THE UNITED STATES DEPARTMENT OF
20 EDUCATION, OR A SCHOOL THAT IS EXEMPT UNDER SECTION 12-59-104.

21 [REDACTED]
22 (II) AS USED IN THIS PARAGRAPH (o):

23 (A) "MASSAGE" MEANS A METHOD OF TREATING THE BODY FOR
24 REMEDIAL OR HYGIENIC PURPOSES THROUGH TECHNIQUES THAT INCLUDE,
25 WITHOUT LIMITATION, RUBBING, STROKING, KNEADING, OR TAPPING WITH
26 THE HAND OR AN INSTRUMENT OR BOTH. THESE TECHNIQUES MAY BE

1 APPLIED WITH OR WITHOUT THE AID OF A MASSAGE DEVICE THAT MIMICS
2 THE ACTIONS POSSIBLE USING HUMAN HANDS.

3 (B) "MASSAGE" DOES NOT INCLUDE THE PRACTICE OF
4 CHIROPRACTIC, AS DEFINED IN ARTICLE 33 OF THIS TITLE; THE PRACTICE OF
5 ACUPUNCTURE, AS DEFINED IN ARTICLE 29.5 OF THIS TITLE; OR THE
6 PRACTICE OF PHYSICAL THERAPY, AS DEFINED IN ARTICLE 41 OF THIS TITLE.

7 **SECTION 2. Effective date - applicability.** (1) This act shall
8 take effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly that is
10 allowed for submitting a referendum petition pursuant to article V,
11 section 1 (3) of the state constitution, (August 6, 2008, if adjournment
12 sine die is on May 7, 2008); except that, if a referendum petition is filed
13 against this act or an item, section, or part of this act within such period,
14 then the act, item, section, or part, if approved by the people, shall take
15 effect on the date of the official declaration of the vote thereon by
16 proclamation of the governor.

17 (2) The provisions of this act shall apply to treatment of animals
18 occurring on or after the applicable effective date of this act.