

# COLORADO LAWS

## UAPPEAL

### **WILDLIFE**

BANS wildlife NOT listed as domestic or unregulated as pets.

- PERMIT required for other species (both captive and wild) and purposes.
- EXEMPT:
  - Domestic species
  - Unregulated species
  - Species other than vertebrates, mollusks and crustaceans
  - Cheyenne Mountain Zoo
  - Denver Zoo
  - Landry's Downtown Aquarium
  - Pueblo Zoo
  - Legal native reptiles and amphibians
  - Possessing up to 25 game birds for up to 60 days for release
  - Scientific collecting license (general requirements only) except terrestrial wildlife and aquatic wildlife
  - USDA carnivals and animal acts (general requirements only) except terrestrial wildlife and aquatic wildlife
- ALLOWS petitioning for a change in species listing.

#### PERMITS:

- **Scientific Collecting License** (collecting wildlife outside season or limits)
  - BANS venomous snakes, Felidae, canidae and ursidae
- **Field Trial License**
- **Commercial Lake License** (commercial fishing on personal property – BANS live)
- **Private Lake License** (free fishing on personal property – BANS live)
- **Commercial Wildlife Park License** (private parks, commercial purposes or educational use - must document profit motive)
  - **Big Game Hunting Park**
  - **Wildlife Exhibitors Park** (AZA or facilities before 1/1/2006)
    - Requires \$500,000 insurance for exhibiting outside cage and an annual lesson plan for educators
  - **Non-Resident Temporary Exhibitors Park** (import and exhibit by non-resident for 30 days)
  - **Wildlife Producers Park** (sell, propagate, broker and transport wildlife)
  - **Upland Bird and Waterfowl Hunting and Producers Park** (propagate and release for shooting)

- **Zoological Park Licenses** (public non-AZA facilities – primary purpose of exhibiting animals for education to public)
  - Park shall have 1) staff with training on husbandry, 2) regular hours, 3) veterinarian on staff or contract, 4) secondary fence or enclosure plus 8’ tall perimeter fence
  - Parks may buy, sell, exchange or loan animals to another zoo or export them
  - Must meet requirements in Colorado Statutes 33-4-102 (13)
  - Import of noncervid ruminants or camelids requires TB testing, isolation for 60 days after import and then tested again

7. BANS cervids

8. BANS Felidae, Canidae and Ursidae except for AZA zoos and commercial wildlife facilities for species owned 1/1/06

1. need contingency plans in case the facility no longer exists or loses its license along with funds and financial assurance

9. BANS wildlife taken from wild

10. Allows [venomous snakes](#)

- **Non-Commercial Wildlife Park License** (native birds except raptors along with exotic mammals owned in 1982 and their progeny as pets)
  - BANS Felidae, canidae and Ursidae and venomous snakes
  - BANS wildlife taken from wild
- **Wildlife Sanctuary License** (AZA and GFAS sanctuaries or 501(c)3 sanctuaries prior to January 1, 2001)
  - **Provisional Wildlife Sanctuary** (for facilities in process of becoming wildlife sanctuaries)
  - **Wildlife Sanctuary**
    - Non-AZA wildlife sanctuaries may move their facility within Colorado without being AZA if impacted by an act of nature and may accept wildlife (limit 1 per year) taken from the wild of other states if the other state determines it is non-releasable and has been captive for no less than 24 months unless director approves exception
    - BANS Felidae, canidae and Ursidae except those permitted on 1/1/01 - need contingency plans in case the facility no longer exists or loses its license along with funds and financial assurance
    - BANS wildlife taken from wild
    - BANS venomous snakes

(Colorado Statutes 33-4-102 (2), (13), (14); 2 CCR 406-0 #002(A), 406-08, 406-11, 406-12)

## **TRAVELING ANIMAL ACTS (Added 5/14/21)**

- Performance = animal act, circus, ride, carnival, parade, race, performance or similar where wild animals are required to perform tricks, give rides or participate for entertainment, amusement or benefit of audience OR used primarily for photos

BANS causing a performance of a listed animal or hybrids.

- PENALTY: misdemeanor of \$250-1000 fine per violation
- EXEMPT:
  - wildlife sanctuary
  - AZA or GFAS nonmobile permanent institution
  - environment educational program if not used more than 6 months a year or kept in vehicle used to transport to locations more than 12 hours/day
  - university, college, lab or research facility
  - film or television production if NO live exhibit or performance or audience, client, public or customer interaction
  - working dog trials, livestock or horse shows, livestock exhibition
  - rodeo or county fair
- LIST: (excludes livestock)
  - Nonhuman primates
  - Ratites, penguins
  - Wild canids except domestic dogs
  - Elephants
  - Felines except domestic cats
  - Marsupials
  - Bears
  - Cetartiodactyla (Artiodactyla and Pinnipedia) except bison, cattle, deer, elk, goat, reindeer, swine, sheep
  - Perissodactyla except horse, donkey mule

(Colorado Revised Statutes 33-1-126 (SB 21-135 2021))

## **NONGAME WILDLIFE**

BANS harassment, take and possession of nongame wildlife (protected).

- EXEMPT:
  - Scientific collection license
  - Rehabilitation license
  - Zoological, education, propagation or another special license
  - Raptors under a falconry license
  - Nuisance bats, mice except Preble's mouse, rats, voles, porcupines and ground squirrels
  - Up to 4 each annually (12 total) of these reptiles and amphibians:
    - Plains spadefoot
    - Woodhouse's toad
    - Boreal chorus frog
    - Painted turtle
    - Ornate box turtle
    - Common sagebrush lizard
    - Ornate tree lizard
    - Common side-blotched lizard

- Prairie lizard
- Plateau fence lizard
- Gophersnake
- Terrestrial gartersnake
- Plains gartersnake
- Common lesser earless lizard
- Tiger whiptail
- North American racer
- Plains hog-nosed snake
- Threatened or endangered wildlife imported into the state
- Peregrine falcon under USFWS permit
- Greenback cutthroat trout for catch and release
- Livestock owners using hazing techniques against gray wolves

(2 Colorado Code of Regs 406-10)

## **COMMON SNAPPING TURTLES**

Common snapping turtles may be taken in any number and possessed alive.

(2 Colorado Code 406-0 Art. XI)

## **ENDANGERED AND THREATENED SPECIES**

BANS take, possession, transport, export, sale, shipment, or transport of native endangered and threatened species

- EXEMPT: Scientific, zoological, educational and propagation in captivity purposes

(Colorado Statutes 33-2; 2 Colorado Code of Regs 406-10 Art. II)

## **TERRESTRIAL WILDLIFE**

LIST: #008(B) prohibited species:

- Exotic sheep and goats (Caprinae)
- Oryx, gemsbok, and addax
- Wildebeest, hartebeest, sassabies (Damaliscus), blesbok
- Wild pigs, javalinas and peccaries
- Cervids not listed as alternative livestock, unrestricted or domestic except commercial park licensed by 3/2/14
- Raccoon
- Nonnative grouse (Tetraoninae)
- Striped skunks
- Hedgehogs: woodland (Erinaceus except Central African), long-eared (Hemiechinus) and desert (Paraechinus)
- Brush-tailed possums: common, Northern and short-eared
- Monk parakeet
- Sun squirrels (Heliosciurus)
- Rope or African striped squirrels (Funisciurus)
- African dormice (Graphiurus)
- Gambian giant pouched rats (Cricetomys)
- Brush-tailed porcupines (Atherurus)
- Striped mice (Hybomys)
- Prairie dogs (except native ones for scientific collection, relocation or rehabilitation)
- Nonhuman primates (except research facility or USDA exhibitor)

## **TRANSPORTATION**

BANS intrastate transportation of live terrestrial wildlife in #008(B).

REQUIREMENTS:

- Export must comply with receiving state's laws.
- Wild ungulates need USDA ear or Division approved tags and come from TB tested or accredited herd
- Live cervids need negative TB test in last 60 days
- Deer and elk need written authorization within 30 days
- Meet CWD requirements

(2 Colorado Code 406-0 #006)

## **IMPORTATION**

PERMIT (Importation Permit) needed from both Division and State Veterinarian to import terrestrial wildlife.

PERMIT (Raptor Importation form) needed to import raptors.

- EXEMPT: rehabilitation with notice

### **REQUIREMENTS:**

- Must be same family of animals on permit
- Wild ungulates need USDA or approved ear tags and source-herd premises information, originate from TB monitored, qualified or accredited herd for 12 months under USDA Bovine TB Eradication unless natural born addition
- Health certificate except research or slaughter
- Meet testing requirements
- isolate wild ungulates, turkeys and grouse for 30 days after
- Raptor Importation form for raptors 7 days before
  - EXEMPT: rehabilitators importing for imminently-necessary medical care if phone notice provided before
- EXCLUDES fallow deer from needing to originate from herd under CWD surveillance for 60 months unless negligible

(2 Colorado Code 406-0 #007)

## **POSSESSION**

BANS possession of terrestrial wildlife.

- GRANDFATHERS: animals owned on 9/1/1990 that were tagged, recorded and reported
- EXEMPT: #008(B) species authorized in writing for possession

### **REQUIREMENTS:**

- Must come from legal source

- CWD in commercial wildlife park requires quarantine - No longer need to destroy deer that come into contact with CWD positive deer but depopulation may be required if there is CWD in free-ranging deer surrounding them – Replaces quarantine with herd plan if no substantial risk
- Allows Director to issue written order for destruction or disinfection of a fish or wildlife production facility
- Escaped animal can be removed as they are deemed detrimental to wildlife
- Big game hunting parks need bovine TB testing and/or slaughter surveillance for captive wild ungulates

(2 Colorado Code 406-0 #008)

## **RELEASE**

BANS release of any wildlife.

- EXEMPT:
  - Rehabilitators releasing wildlife with permission

BANS release of nonnative raptors and hybrids.

- EXEMPT: Falconers with raptors

REQUIREMENTS:

- Allows release of 25 total privately owned game birds on private land
- Allows release of privately-owned game birds on State Wildlife Areas authorized for that purpose in #901
- Up to 25 game birds may be released for dog training
- More than 25 game birds may be released for field trials authorized under #801
- Hunting limited to day of release for privately-owned game birds or they become property of state
  - no hunting license required except #804
  - total number of game birds taken must not exceed those released
- Wildlife needs receipt showing lawfully acquired including source and purpose or acquisition date
- Migratory birds need USFWS band except for falconry

(2 Colorado Code 406-0 #002(M), #009)

## **Aquatic Nuisance Species**

BANS import, export, possession, transport, shipment and release of aquatic nuisance species.

LIST: No official list found – examples include:

- Zebra mussel
- Quagga Mussel
- New Zealand mudsnail
- Asian carp
- Rusty crayfish
- Eurasian watermilfoil

(Colorado Statutes 33-10.5)

## **AQUATIC WILDLIFE (Rest)**

LIST: Approved Aquatic Wildlife #012

Amphibians:

- Bullfrogs (unlimited take and possession under fishing laws)
- Aquatic Gilled forms of Tiger Salamanders (50 under 5" take and possession under fishing laws)
- Amphibians (nongame listed in that section)
- Amphibians (unregulated wildlife)

Crustaceans: East of Continental Divide:

- Virile Crayfish
- Waternymph Crayfish
- Calico Crayfish
- Ringed Crayfish
- Southern Plains Crayfish

Fish: Subject to fishing laws:

- Brown, brook, cutthroat, golden, lake and rainbow trout, and their hybrids
- Arctic char
- Grayling



- Kokanee salmon
- Whitefish
- Sculpin
- Smallmouth, largemouth, spotted, striped, and white bass
- Wipers
- Common Carp
- Triploid grass carp
- Bullhead, blue, channel, and flathead catfish
- Black and white crappie
- Drum
- Northern pike
- Tiger muskie
- Sacramento and yellow perch, and their hybrids
- Sauger and saugeye
- Speckled dace
- Rainbow smelt
- Tench
- Walleye
- Bluegill and bluegill hybrids
- Green, redear and pumpkin-seed sunfish
- Gizzard shad
- Longnose and white suckers
- Fathead minnow
- Family Cyprinidae except for bighead carp, black carp, and silver carp
- Unregulated wildlife

Food Production:

- Blue, Mozambique and Nile tilapia and hybrids
- barramundi
- other allowed fish
- redclaw crayfish

## **TRANSPORT**

BANS transport within state of any aquatic wildlife

- EXEMPT: #012 Approved Aquatic Wildlife

REQUIREMENTS (for approved species):

- Need one of the following:
  - Personal fishing license
  - commercial fishing license

- donation certificate
- receipt from commercial or private lake licensee, aquaculture facility or pet animal facility
- aquaculture facility permit
- pet animal facility permit
- importation permit
- bill of lading or similar documentation
- Live fish need:
  - copy of fish health certificate for source facility showing compliance with #014 except for transport through
    - May be waived for transport between Food Production Facilities

(2 Colorado Code of Regulations 406-0 #010)

## **IMPORT**

LICENSE (Importation License) issued to import #012 Approved Aquatic Wildlife.

BANS import of all other live native and nonnative aquatic wildlife.

REQUIREMENTS (for approved species):

- Submit an application at least 7 working days before import
- Limited to import of species and import from facilities listed on permit - must apply for additional 7 working days before
- Allows inspections of live fish or viable gametes before release into state waters or private holding facilities
- Receipt of wildlife must be reported
- Fish import must comply with state fish health management regulations
- Facility health certification must accompany each shipment if applicable
- Release must comply with all regulations

(2 Colorado Code of Regulations 406-0 #011)

## **POSSESSION**

BANS possession of all native and nonnative aquatic wildlife.

- EXEMPT:
  - Those allowed under Colorado Statutes Title 33 Wildlife or Title 35 Agriculture
  - #012 Aquatic Approved Wildlife
  - Unregulated wildlife
  - Those allowed under Ch W-13 Scientific Collecting and Special Licenses

- Fish taken from wild for personal use if killed (excludes nongame, endangered, threatened)

**REQUIREMENTS:**

- Must be from legal source

(2 Colorado Code of Regulations 406-0 #012)

**RELEASE**

Bans release of aquatic wildlife other than limited exceptions.

PERMIT (Stocking Permit) issued for certain purposes.

**REQUIREMENTS:**

- Stocking permit, letter of authorization or commercial or private lake license AND other requirements
  - Limited to:
    - rainbow, brook, brown, and cutthroat trout and hybrids, fathead minnow and certified triploid grass carp
    - East of Continental Divide: crappie, bluegill, channel catfish, largemouth and smallmouth bass, and green sunfish
    - East of Divide outside Salmon habitat: tiger muskie, walleye, gizzard shad, yellow perch, and wipers

(2 Colorado Code of Regulations 406-0 #013)

**AQUACULTURE**

PERMIT (Aquaculture Permit) needed to propagate, sell, broker, trade or transport aquatic organisms (fish, mollusk, crustacean, aquatic reptiles and amphibians, aquatic insects, aquatic invertebrates).

**EXEMPT:**

- Brokers who never take physical possession
- retail food establishment that sells for use as food

- Must be in holding tank not hydrologically connected to state waters
- Must NOT propagate, transport or release
  
- Registered bait dealer with live organisms
  - If certified free of disease
  - Need records and customer receipts
- Obtain and possess live fish for aquaria or private ponds if hydrologically closed systems not connected to state waters
- Federal, state or county agency
- scientific collecting permit
- AZA zoo
- Transport live aquatic organizations for non-commercial personal use or consumption
  - Must not release in state waters
  - Must be allowed species

**REQUIREMENTS:**

- Must be on approved aquatic wildlife list
- Allow inspections
- Maintain acquisition records for 3 years after disposition
- Issue invoice for sales, trades, take and dispositions kept for 3 years

(Colorado Revised Statutes 35-24.5; 8 CCR 1201-21)

## **FALCONRY**

PERMIT (Falconry Permit) required. Issues apprentice, general and master falconry permits.

(2 Colorado Code of Regulations 406-5 Art. VI & 406-6)

## **WILDLIFE REHABILITATION**

LICENSE issued to rehabilitate sick, injured, imprinted or orphaned wildlife to return to the wild.

- Wildlife Rehabilitation License
- Provisional Rehabilitation License (those in process)

EXEMPT:

- Those transporting sick, injured, or orphaned wildlife to Division, Wildlife or Provisional Wildlife Rehabilitator, DVM, animal control agency or local law enforcement agency when instructed to do so by them

REQUIREMENTS:

Applications:

- Certify they are 18+
- Declare prior animal welfare or wildlife violations or suspension or revocation of rehabilitation license
- On-site holding facility that meets criteria in #1404 (may be sponsor's if provisional)
- Submit application (provisional must be signed by sponsor)
- DVM letter willing to treat
- Learning plan
- USFWS special purpose rehabilitation permit if applicable
- Certification of compliance with city and county ordinance with permits
- Certification of compliance with Public Health and Environment laws
- Sponsor certification of having necessary skills and abilities (regular must also have 1 year experience as provisional)
- Certification applicant read Zoonoses Information and Prevention packet
- Certification of reading CWD information
- Allows interview and inspections

1st Renewal:

- Complete basic wildlife rehabilitation curriculum

Other: Must meet all other requirements listed.

(Colorado Code of Regulations 406-14)

## **PET ANIMAL CARE AND FACILITIES ACT**

All animals, including wild and domestic and hybrid animals, kept or sold as pets are regulated under the Pet Animal Care and Facilities Act.

(Colorado Statutes 35-80)

## **HYBRID ANIMALS**

The state created an advisory group to study feline and canine hybrids.

(Colorado Statutes 35-81)

## **LIVE BIRD MARKETS**

REGISTRATION with Department of Agriculture required for live bird markets.

## **IMPORT (AGRICULTURE)**

The Department of Agriculture also regulates import of circus, exotic, zoo and other animals.

- EXEMPT: Aquaculture

All non-livestock animals must comply with Parks and Wildlife laws.

REQUIREMENTS: Click for specific requirements for each [animal](#).

- Animals imported to zoological parks need certificate of veterinary inspection and meet any required testing or post-entry quarantine requirements.

(8 CCR 1201-19)