

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 156
99TH GENERAL ASSEMBLY

Reported from the Committee on Transportation, Infrastructure and Public Safety, March 2, 2017, with recommendation that the Senate Committee Substitute do pass.

0241S.04C

ADRIANE D. CROUSE, Secretary.

AN ACT

To repeal sections 575.353, 578.007, and 578.022, RSMo, and to enact in lieu thereof four new sections relating to animals, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 575.353, 578.007, and 578.022, RSMo, are repealed
2 and four new sections enacted in lieu thereof, to be known as sections 273.450,
3 575.353, 578.007, and 578.022, to read as follows:

**273.450. 1. The provisions of section 273.325 defining words,
2 phrases, and terms shall apply to and determine the meaning of all
3 such words, phrases, or terms as used in this section. As used in this
4 section, "department" shall mean the Missouri department of
5 agriculture. As used in this section, "train" or "training" shall mean the
6 process of bringing a person to a desired standard of proficiency by
7 practice and instruction.**

8 **2. Each individual, or organization on behalf of a group of
9 individuals, seeking to train individuals responding to animal neglect
10 and abuse incident reports shall, on an annual basis, submit all training
11 materials to the state veterinarian for review and approval to ensure
12 that such materials are in uniformity with the provisions relating to
13 animals under chapters 267 to 273, and are in uniformity with the
14 provisions of chapter 578. The state veterinarian shall review such
15 materials within fourteen calendar days, and either approve such
16 materials as being in uniformity with such provisions, or disapprove
17 such materials. If such materials are disapproved, the state**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 veterinarian shall notify the individual or organization, in writing, of
19 the deficiencies of the materials. Upon the individual or organization
20 curing such deficiencies, such individual or organization may resubmit
21 such materials to the state veterinarian for review.

22 3. Upon approving an individual's materials, or an organization's
23 materials on behalf of a group of individuals, the state veterinarian
24 shall issue the individual or organization a certification stating that
25 such materials have been reviewed and approved, and are in uniformity
26 with certain provisions of state law.

27 4. Any individual, or organization on behalf of a group of
28 individuals, seeking to train individuals responding to animal neglect
29 and abuse incident reports shall be certified by January 1, 2018. Any
30 individual, or organization on behalf of a group of individuals, that has
31 submitted materials to the state veterinarian at such time may be
32 granted an extension for purposes of compliance with this section, on
33 a case by case basis, at the discretion of the director.

34 5. No individual, or organization on behalf of a group of
35 individuals, shall engage in the business of animal care training
36 without a certification from the state veterinarian. A person commits
37 the offense of unlawful animal care training if he or she knowingly
38 engages in the business of animal care training, as either an individual
39 or on behalf of an organization, if such individual is performing such
40 training without a certification from the state veterinarian. The first
41 offense of unlawful animal care training shall be an infraction. Any
42 second or subsequent offense of unlawful animal care training is a class
43 D misdemeanor.

44 6. The department may promulgate rules for administering this
45 section. Any rule or portion of a rule, as that term is defined in section
46 536.010 that is created under the authority delegated in this section
47 shall become effective only if it complies with and is subject to all of
48 the provisions of chapter 536, and, if applicable, section 536.028. This
49 section and chapter 536 are nonseverable and if any of the powers
50 vested with the general assembly pursuant to chapter 536, to review, to
51 delay the effective date, or to disapprove and annul a rule are
52 subsequently held unconstitutional, then the grant of rulemaking
53 authority and any rule proposed or adopted after August 28, 2017, shall
54 be invalid and void.

575.353. 1. A person commits the offense of assault on a [police] law
2 **enforcement** animal if he or she knowingly attempts to kill or disable or
3 knowingly causes or attempts to cause serious physical injury to a [police] law
4 **enforcement** animal when that animal is involved in law enforcement
5 investigation, apprehension, tracking, or search, or the animal is in the custody
6 of or under the control of a law enforcement officer, department of corrections
7 officer, municipal police department, fire department or a rescue unit or agency.

8 2. The offense of assault on a [police] law **enforcement** animal is a class
9 [C] A misdemeanor, unless the assault results in the death of such animal or
10 disables such animal to the extent it is unable to be utilized as a [police] law
11 **enforcement** animal, in which case it is a class [E] C felony.

578.007. The provisions of section 574.130[,] **and** sections 578.005 to
2 578.023 shall not apply to:

3 (1) Care or treatment performed by a licensed veterinarian within the
4 provisions of chapter 340;

5 (2) Bona fide scientific experiments;

6 (3) Hunting, fishing, or trapping as allowed by chapter 252, including all
7 practices and privileges as allowed under the Missouri Wildlife Code;

8 (4) Facilities and publicly funded zoological parks currently in compliance
9 with the federal "Animal Welfare Act" as amended;

10 (5) Rodeo practices currently accepted by the Professional Rodeo Cowboy's
11 Association;

12 (6) The killing of an animal by the owner thereof, the agent of such owner,
13 or by a veterinarian at the request of the owner thereof;

14 (7) The lawful, humane killing of an animal by an animal control officer,
15 the operator of an animal shelter, a veterinarian, or law enforcement or health
16 official;

17 (8) With respect to farm animals, normal or accepted practices of animal
18 husbandry;

19 (9) The killing of an animal by any person at any time if such animal is
20 outside of the owned or rented property of the owner or custodian of such animal
21 and the animal is injuring any person or farm animal but **this exemption** shall
22 not include [police or guard dogs] **the killing or injuring of a law**
23 **enforcement officer dog** while working;

24 (10) The killing of house or garden pests; or

25 (11) Field trials, training and hunting practices as accepted by the

26 Professional Houndsmen of Missouri.

578.022. Any dog that is owned, or the service of which is employed, by
2 a law enforcement agency and that bites **or injures** another animal or human
3 in the course of their official duties is exempt from the provisions of sections
4 273.033 [and], 273.036 [and section], **578.012, and** 578.024.

✓

Unofficial

Bill

Copy