

SECOND REGULAR SESSION

SENATE BILL NO. 797

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MUNZLINGER.

Pre-filed December 13, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4941S.03I

AN ACT

To amend chapter 273, RSMo, by adding thereto one new section relating to animals, with penalty provisions and a delayed effective date.

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

Section A. Chapter 273, RSMo, is amended by adding thereto one new section, to be known as section 273.450, to read as follows:

273.450. 1. As used in this section, the following terms shall mean:

(1) "Peace officer", the same as defined in section 590.010;

(2) "Train" or "training", the process of bringing a person to a desired standard of proficiency by practice and instruction.

2. Each individual, or organization on behalf of a group of individuals, seeking to train peace officers in responding to animal neglect and abuse incident reports shall, on an annual basis, submit all training materials relating to animal care to the state veterinarian for review and approval to ensure that such materials are in uniformity with the provisions relating to animals under chapters 267 to 273, and shall submit all training materials relating to criminal offenses involving animals to the department of public safety for review and approval to ensure that such materials are in uniformity with the provisions of chapter 578. The state veterinarian and the department of public safety shall review submitted materials within fourteen calendar days, and either approve such materials as being in uniformity with such provisions, or disapprove such materials. If such materials are disapproved, the respective entity shall notify the individual or organization, in writing, of the deficiencies of the materials. Upon the individual or organization curing such

22 deficiencies, such individual or organization may resubmit such
23 materials for review. If the state veterinarian or department of public
24 safety do not review the submitted materials and notify the individual
25 or organization within fourteen calendar days, such materials shall be
26 deemed approved by the respective entity.

27 3. Upon approving an individual's materials, or an organization's
28 materials on behalf of a group of individuals, the entity that approved
29 the materials shall issue the individual or organization a certification
30 stating that such materials have been reviewed and approved, and are
31 in uniformity with certain provisions of state law.

32 4. No individual, or organization on behalf of a group of
33 individuals, shall engage in the business of training peace officers in
34 responding to animal neglect and abuse incident reports relating to
35 animal care if such individual or organization has not obtained a
36 certification from the state veterinarian ensuring that training
37 materials are in uniformity with provisions relating to animals under
38 chapters 267 to 273. No individual, or organization on behalf of a group
39 of individuals, shall engage in the business of training peace officers in
40 responding to animal neglect and abuse incident reports relating to
41 criminal offenses involving animals if such individual or organization
42 has not obtained a certification from the department of public safety
43 ensuring that training materials are in uniformity with the provisions
44 of chapter 578.

45 5. A person commits the offense of unlawful animal care training
46 if he or she knowingly engages in the business of animal care training,
47 as either an individual or on behalf of an organization, if such
48 individual is performing such training:

49 (1) Using materials relating to animal care that have not been
50 certified by the state veterinarian for being in uniformity with chapters
51 267 and 273; or

52 (2) Using materials relating to criminal offenses involving
53 animals that have not been certified by the department of public safety
54 for being in uniformity with chapter 578.

55 6. The first offense of unlawful animal care training shall be an
56 infraction. Any second or subsequent offense of unlawful animal care
57 training is a class D misdemeanor.

58 7. The department of agriculture and the department of public

59 safety may promulgate rules for administering this section. Any rule
60 or portion of a rule, as that term is defined in section 536.010 that is
61 created under the authority delegated in this section shall become
62 effective only if it complies with and is subject to all of the provisions
63 of chapter 536, and, if applicable, section 536.028. This section and
64 chapter 536 are nonseverable and if any of the powers vested with the
65 general assembly pursuant to chapter 536, to review, to delay the
66 effective date, or to disapprove and annul a rule are subsequently held
67 unconstitutional, then the grant of rulemaking authority and any rule
68 proposed or adopted after August 28, 2018, shall be invalid and void.

Section B. Section A of this act shall become effective on January 1, 2019.

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Bill

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