

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 596

## 89TH GENERAL ASSEMBLY

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Reported from the Committee on Agriculture, Conservation, Parks and Tourism, February 16, 1998, with recommendation that the Senate Committee Substitute do pass.

S2263.03C

TERRY L. SPIELER, Secretary.

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### AN ACT

To amend chapter 578, RSMo, by adding thereto two new sections relating to animal neglect, with penalty provisions.

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

Section A. Chapter 578, RSMo, is amended by adding thereto two new sections, to be known as sections 578.008 and 578.013, to read as follows:

**578.008. 1. A person is guilty of felony animal neglect when such person has custody or ownership, or both, of more than five animal units or animal unit equivalents and fails to provide adequate care or adequate control, including, but not limited to, knowingly abandoning said animals in any place without making provisions for their adequate care.**

**2. Felony animal neglect is a class D felony upon the first conviction and a class C felony upon the second and all subsequent convictions.**

**3. Notwithstanding other provisions of the law to the contrary, upon conviction the court may restrict a person found guilty of felony animal neglect from retaining custody or ownership, or both, of more than five animal units or animal unit equivalents for a period of five years from the date of the first conviction pursuant to this section, and for a period of ten years from the date of the second and all subsequent convictions. Violation of a restriction imposed by this subsection constitutes a class C felony.**

**4. In addition to any other penalty imposed by this section, the court may order a person found guilty of felony animal neglect to pay all reasonable costs and expenses necessary for:**

**(1) The care and maintenance of neglected animals within the person's custody**

**or ownership;**

**(2) The disposal of any dead or diseased animals within the person's custody or ownership;**

**(3) The reduction of environmental damage to the immediate area of the neglect; and**

**(4) The avoidance or minimization of any public health risks created by the neglect of the animals.**

**5. For purposes of this section, "animal units" or "animal unit equivalents" shall be defined pursuant to section 640.703, RSMo.**

**578.013. 1. A person is guilty of felony animal abuse when a person:**

**(1) Intentionally or purposely kills more than five animal units or animal unit equivalents in any manner not allowed by or expressly exempted from the provisions of sections 578.005 to 578.023 and 273.030, RSMo;**

**(2) Purposely or intentionally causes injury or suffering to more than five animal units or animal unit equivalents in any manner not allowed by or expressly exempted from the provisions of sections 578.005 to 578.023 and section 273.030, RSMo; or**

**(3) Having ownership or custody of more than five animal units or animal unit equivalents knowingly fails to provide adequate care or adequate control.**

**2. Felony animal abuse is a class D felony, unless the defendant has previously plead guilty to or has been found guilty of animal abuse or the suffering involved in subdivision (2) of subsection 1 of this section is the result of torture or mutilation, or both, consciously inflicted while the animal was alive, in which case it is a class C felony.**

**3. Notwithstanding other provisions of the law to the contrary, upon conviction the court may restrict a person found guilty of felony animal abuse from retaining custody or ownership, or both, of more than five animal units or animal unit equivalents for a period of five years from the date of the first conviction pursuant to this section, and for a period of ten years from the date of the second and all subsequent convictions. Violation of a restriction imposed by this subsection constitutes a class C felony.**

**4. In addition to any other penalty imposed by this section, the court may order a person found guilty of felony animal abuse to pay all reasonable costs and expenses necessary for:**

**(1) The care and maintenance of abused animals within the person's custody or ownership;**

**(2) The disposal of any dead or diseased animals within the person's custody or ownership;**

**(3) The reduction of environmental damage to the immediate area of the abuse;  
and**

**(4) The avoidance or minimization of any public health risks created by the  
abuse of the animals.**

**5. For purposes of this section, "animal" shall be defined as a mammal and  
"animal units" or "animal unit equivalents" shall be defined pursuant to section 640.703,  
RSMo.**

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