

FIRST REGULAR SESSION

SENATE BILL NO. 50

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WESTFALL.

Pre-filed December 1, 1998, and 1,000 copies ordered printed.

S0556.011

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 575.010, RSMo 1994, relating to offenses against the administration of justice, and to enact three new sections relating to the same subject, with penalty provisions.

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

Section A. Section 575.010, RSMo 1994, is repealed and three new sections enacted in lieu thereof to be known as sections 575.010, 575.335 and 575.337, to read as follows:

575.010. The following definitions shall apply to chapters 575 and 576, RSMo:

(1) "Affidavit" means any written statement which is authorized or required by law to be made under oath, and which is sworn to before a person authorized to administer oaths;

(2) "Government" means any branch or agency of the government of this state or of any political subdivision thereof;

(3) "Judicial proceeding" means any official proceeding in court, or any proceeding authorized by or held under the supervision of a court;

(4) "Juror" means a grand or petit juror, including a person who has been drawn or summoned to attend as a prospective juror;

(5) "Jury" means a grand or petit jury, including any panel which has been drawn or summoned to attend as prospective jurors;

(6) "Official proceeding" means any cause, matter, or proceeding where the laws of this state require that evidence considered therein be under oath or affirmation;

(7) **"Police animal" means a dog, horse or other animal used in law enforcement or a correctional facility, or by a municipal police department, fire department, search and rescue unit or agency, whether the animal is on duty or not on duty. The term**

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

shall include, but not be limited to, accelerant detection dogs, bomb detection dogs, narcotic detection dogs, search and rescue dogs and tracking animals;

[(7)] **(8)** "Public record" means any document which a public servant is required by law to keep;

[(8)] **(9)** "Testimony" means any oral statement under oath or affirmation;

[(9)] **(10)** "Victim" means any natural person against whom any crime is deemed to have been perpetrated or attempted;

[(10)] **(11)** "Witness" means any natural person:

- (a) Having knowledge of the existence or nonexistence of facts relating to any crime; or
- (b) Whose declaration under oath is received as evidence for any purpose; or
- (c) Who has reported any crime to any peace officer or prosecutor; or
- (d) Who has been served with a subpoena issued under the authority of any court of this state.

575.335. 1. A person commits the crime of killing a police animal when such person knowingly causes the death of a police animal when that animal is involved in a law enforcement investigation, apprehension, tracking, or search and rescue, or the animal is in the custody of or under the control of a law enforcement officer, department of corrections officer, municipal police department, fire department and a rescue unit or agency.

2. Killing a police animal is a class D felony.

575.337. 1. A person commits the crime of assault on a police animal when such person knowingly attempts to kill or knowingly causes or attempts to cause serious physical injury to a police animal when that animal is involved in law enforcement investigation, apprehension, tracking, or search, or the animal is in the custody of or under the control of a law enforcement officer, department of corrections officer, municipal police department, fire department or a rescue unit or agency.

2. Assault on a police animal is a class D felony.

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