

SECOND REGULAR SESSION

HOUSE BILL NO. 1828

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOUGHTON.

5642H.011

D. ADAM CRUMBLISS, Chief Clerk

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
2 known as section 273.450, to read as follows:

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

2 **(1) "Peace officer", the same as defined in section 590.010;**
3 **(2) "Train" or "training", the process of bringing a person to a desired standard**
4 **of proficiency by practice and instruction.**

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

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 the state veterinarian or department of public safety does not review the submitted
19 materials and notify the individual or organization within fourteen calendar days, such
20 materials shall be deemed approved by the respective entity.

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

25 4. No individual, or organization on behalf of a group of individuals, shall engage
26 in the business of training peace officers in responding to animal neglect and abuse
27 incident reports relating to animal care if such individual or organization has not obtained
28 a certification from the state veterinarian ensuring that training materials are in
29 uniformity with provisions relating to animals under chapters 267 to 273. No individual,
30 or organization on behalf of a group of individuals, shall engage in the business of training
31 peace officers in responding to animal neglect and abuse incident reports relating to
32 criminal offenses involving animals if such individual or organization has not obtained a
33 certification from the department of public safety ensuring that training materials are in
34 uniformity with the provisions of chapter 578.

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

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

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

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

44 7. The department of agriculture and the department of public safety may
45 promulgate rules for administering this section. Any rule or portion of a rule, as that term
46 is defined in section 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 the provisions of
48 chapter 536, and, if applicable, section 536.028. This section and chapter 536 are
49 nonseverable and if any of the powers vested with the general assembly pursuant to
50 chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are
51 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
52 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.

✓