

SECOND REGULAR SESSION

SENATE BILL NO. 716

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

Pre-filed December 1, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4518S.011

AN ACT

To repeal sections 575.353, 578.007, and 578.022, RSMo, and to enact in lieu thereof three new sections relating to law enforcement 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Section A. Sections 575.353, 578.007, and 578.022, RSMo, are repealed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 three new sections enacted in lieu thereof, to be known as sections 575.353,
3 578.007, and 578.022, to read as follows:

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

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

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] **sections 578.012 and 578.024.**

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