

SECOND REGULAR SESSION

HOUSE BILL NO. 1497

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DEEKEN.

Read 1st time January 24, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4659L.011

AN ACT

To repeal section 578.009, RSMo, and to enact in lieu thereof one new section relating to animal neglect, with penalty provisions.

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

Section A. Section 578.009, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 578.009, to read as follows:

578.009. 1. A person is guilty of animal neglect when [he] **such person** has custody or ownership or both of an animal and **negligently** fails to provide adequate care or adequate control[, which results in substantial harm to the animal].

2. A person is guilty of abandonment when he has knowingly abandoned an animal in any place without making provisions for its adequate care.

3. Animal neglect and abandonment is a class C misdemeanor upon first conviction and for each offense[, punishable by imprisonment or a fine not to exceed five hundred dollars, or both], and a class B misdemeanor [punishable by imprisonment or a fine not to exceed one thousand dollars, or both upon] **for** the second and all subsequent convictions. All fines and penalties for a first conviction of animal neglect or abandonment may be waived by the court provided that the person found guilty of animal neglect or abandonment shows that adequate, permanent remedies for the neglect or abandonment have been made. Reasonable costs incurred for the care and maintenance of neglected or abandoned animals may not be waived. This section shall not apply to the provisions of section 578.007.

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.

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

18 (1) The care and maintenance of neglected or abandoned animals within the person's
19 custody or ownership;

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

22 (3) The reduction of resulting organic debris affecting the immediate area of the neglect
23 or abandonment; and

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

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