

SECOND REGULAR SESSION

# HOUSE BILL NO. 2102

## 95TH GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVES MUNZLINGER (Sponsor), VIEBROCK, JONES (117),  
GUERNSEY AND FISHER (125) (Co-sponsors).

4956L.011

D. ADAM CRUMBLISS, Chief Clerk

---

### AN ACT

To repeal sections 273.327, 273.329, and 273.342, RSMo, and to enact in lieu thereof three new sections relating to animal care and facilities licensure and regulation, with a penalty provision.

---

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

Section A. Sections 273.327, 273.329, and 273.342, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 273.327, 273.329, and 273.342, to read as follows:

273.327. No person shall operate an animal shelter, pound or dog pound, boarding kennel, commercial kennel, contract kennel, pet shop, or exhibition facility, other than a limited show or exhibit, or act as a dealer or commercial breeder, unless [he] **such person** has obtained a license for such operations from the director. An applicant shall obtain a separate license for each separate physical facility subject to sections 273.325 to 273.357 which is operated by the applicant. Any person exempt from the licensing requirements of sections 273.325 to 273.357 may voluntarily apply for a license. Application for such license shall be made in the manner provided by the director. The license shall expire annually unless revoked. As provided by rules to be promulgated by the director, the license fee shall range from one hundred to five hundred dollars per year. Pounds[,] **or** dog pounds [and animal shelters] shall be exempt from payment of such fee. License fees shall be levied for each license issued or renewed on or after January 1, 1993.

273.329. 1. The director may refuse to issue or renew or may revoke a license on any one or more of the following grounds:

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.

3 (1) Material and deliberate misstatement in the application for any original license or for  
4 any renewal license under sections 273.325 to 273.357;

5 (2) Disregard or violation of sections 273.325 to 273.357 or of any rules promulgated  
6 pursuant thereto;

7 (3) Conviction of any violation of any state or federal law relating to the disposition or  
8 treatment of animals;

9 (4) Failure to provide adequate food, water, housing or sanitary facilities for animals  
10 under the control of an animal shelter, boarding kennel, commercial breeder, commercial kennel,  
11 contract kennel, dealer, pet shop, pound, or exhibitor as defined by regulations of the USDA.

12 **2. The department of agriculture shall not retain, contract with, or otherwise utilize**  
13 **the services of the personnel of any nonprofit organization for the purpose of inspection**  
14 **or licensing of any animal shelter, pound, or dog pound, boarding kennel, commercial**  
15 **kennel, contract kennel, commercial breeder, hobby or show breeder, or pet shop under**  
16 **sections 273.325 to 273.357.**

17 **3. Operation of an animal shelter, pound or dog pound, boarding kennel, commercial**  
18 **kennel, contract kennel, pet shop, or exhibition facility, or activity as a commercial breeder or**  
19 **dealer without a valid license shall constitute a class A misdemeanor.**

20 273.342. 1. Persons engaged in breeding dogs and cats who harbor three or less intact  
21 females shall be exempt from the provisions of sections 273.325 to 273.357.

22 **2. Persons breeding dogs exclusively for hunting purposes may apply for an**  
23 **exemption to the requirements of sections 273.325 to 273.357. Such exemption may be**  
24 **granted if the department determines that the breed of dog and circumstances of the**  
25 **breeding operation warrant such an exemption. The exemption under this subsection shall**  
26 **be awarded at no cost to the breeder unless it is necessary to conduct an on-site inspection.**

27 **3. A hobby or show breeder shall be exempt from the licensure and inspection**  
28 **requirements of sections 273.325 to 273.357. The director shall develop a form for registration**  
29 **of persons who meet the definition of hobby or show breeder, and any such hobby or show**  
30 **breeder shall register annually with the director for the purpose of establishing that such person**  
31 **is a hobby or show breeder, at no cost to said hobby or show breeder.**

✓