

COMMITTEE OF ORIGIN: Committee on Emerging Issues in Animal Agriculture

This substitute changes the law regarding the confiscation of animals. In its main provisions, the substitute:

- (1) Removes a public health official from the individuals authorized to seek a warrant to enter property to inspect, care for, or impound neglected or abused animals;
- (2) Includes dogs confiscated for multiple biting incidents or involved in dog fighting to those animals covered under these provisions;
- (3) Specifies that no animal may be sterilized before the completion of the disposition hearing unless it is necessary to save life or relieve suffering;
- (4) Includes a third party approved by the court to the authorized people who can care for impounded animals;
- (5) Specifies that the owner of any impounded animal cannot be responsible for the animal's care and keeping prior to a disposition hearing if the court determines that the animal was taken unlawfully;
- (6) Requires a reasonable bond or security to be posted within 72 hours for the care of the animals after the completion of the disposition hearing and until a final judgement, settlement, or dismissal of the case if the court decides that the animals were lawfully taken and the owner would like to prevent the disposition of the animal while the case proceeds;
- (7) Specifies that all animals impounded must receive proper care as determined by state law and regulations. Any facility or organization will be liable to the owner for damages for any negligent acts or abuse of the animal while in its custody;
- (8) Allows an owner who posted a sufficient bond to demand the return of the animal if he or she is acquitted or there is a final discharge without a conviction unless there is a settlement agreement, consent judgment, or suspended imposition of sentence, and any organization or individual with custody of the animal must immediately return it to the owner. The animal owner cannot be liable for any costs incurred relating to the placement and care of the animal while the charges were pending;
- (9) Specifies that any person or entity that intentionally

euthanizes, other than as permissible under the provisions of the substitute, or intentionally sterilizes an animal prior to a disposition hearing or during any period for which a reasonable bond was secured for the animal's care will be guilty of a class B misdemeanor. Each individual animal for which a violation occurs is a separate offense. Any second or subsequent violation is a class A misdemeanor and any entity licensed under state law will be subject to licensure sanction by its governing body; and

(10) Requires that any animals seized by the Missouri State Highway Patrol to be handled in accordance with the requirements of Section 578.018, RSMo.

FISCAL NOTE: No impact on state funds in FY 2013, FY 2014, and FY 2015.