

SECOND REGULAR SESSION

HOUSE BILL NO. 2611

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BARNES.

5582H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 273.347, RSMo, and to enact in lieu thereof one new section relating to animal cruelty, with a penalty provision.

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

Section A. Section 273.347, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 273.347, to read as follows:

273.347. 1. Whenever the state veterinarian or a state animal welfare official finds past violations of sections 273.325 to 273.357 have occurred and have not been corrected or addressed, including operating without a valid license under section 273.327, the director may request the attorney general or the county prosecuting attorney or circuit attorney to bring an action in circuit court in the county where the violations have occurred for a temporary restraining order, preliminary injunction, permanent injunction, or a remedial order enforceable in a circuit court to correct such violations and, in addition, the court may assess a civil penalty in an amount not to exceed one thousand dollars for each violation. Each violation shall constitute a separate offense.

2. **(1)** A person commits the crime of canine cruelty if such person repeatedly violates sections 273.325 to 273.357 so as to pose a substantial risk to the health and welfare of animals in such person's custody, or knowingly violates an agreed-to remedial order involving the safety and welfare of animals under this section.

(2) (a) Except as provided in paragraph (b) of this subdivision, the crime of canine cruelty is a class C misdemeanor~~[, unless]~~.

(b) The crime of canine cruelty is a class A misdemeanor 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.

17 **a.** The person has previously pled guilty or nolo contendere to or been found guilty of
18 a violation of this subsection~~], in which case, each such violation is a class A misdemeanor]~~ ;
19 **or**

20 **b. The person commits three or more separate violations at the same time.**

21 3. The attorney general or the county prosecuting attorney or circuit attorney may bring
22 an action under sections 273.325 to 273.357 in circuit court in the county where the crime has
23 occurred for criminal punishment.

24 4. No action under this section shall prevent or preclude action taken under section
25 578.012 or under subsection 3 of section 273.329.

✓