

FIRST REGULAR SESSION

HOUSE BILL NO. 1007

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SCHROER.

2185H.011

DANA RADEMAN MILLER, Chief Clerk

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Section A. Sections 575.353, 578.007, and 578.022, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 575.353, 578.007, and 578.022, to read as follows:

575.353. 1. A person commits the offense of assault on a ~~[police]~~ **law enforcement** animal if he or she knowingly attempts to kill or disable or knowingly causes or attempts to cause serious physical injury to a ~~[police]~~ **law enforcement** animal when that animal is involved in law enforcement investigation, apprehension, tracking, or search, or the animal is in the custody of or under the control of a law enforcement officer, department of corrections officer, municipal police department, fire department or a rescue unit or agency.

2. The offense of assault on a ~~[police]~~ **law enforcement** animal is a:

(1) Class ~~[C]~~ **A** misdemeanor, ~~[unless]~~ **if the law enforcement animal is not injured to the point of requiring veterinary care or treatment;**

(2) **Class E felony if the law enforcement animal is seriously injured to the point of requiring veterinary care or treatment; and**

(3) **Class C felony** if the assault results in the death of such animal ~~[or disables such animal to the extent it is unable to be utilized as a police animal, in which case it is a class E felony].~~

578.007. The provisions of section 574.130~~[s]~~ **and** sections 578.005 to 578.023 shall not apply to:

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) Care or treatment performed by a licensed veterinarian within the provisions of
4 chapter 340;
- 5 (2) Bona fide scientific experiments;
- 6 (3) Hunting, fishing, or trapping as allowed by chapter 252, including all practices and
7 privileges as allowed under the Missouri Wildlife Code;
- 8 (4) Facilities and publicly funded zoological parks currently in compliance with the
9 federal "Animal Welfare Act" as amended;
- 10 (5) Rodeo practices currently accepted by the Professional Rodeo Cowboy's Association;
- 11 (6) The killing of an animal by the owner thereof, the agent of such owner, or by a
12 veterinarian at the request of the owner thereof;
- 13 (7) The lawful, humane killing of an animal by an animal control officer, the operator
14 of an animal shelter, a veterinarian, or law enforcement or health official;
- 15 (8) With respect to farm animals, normal or accepted practices of animal husbandry;
- 16 (9) The killing of an animal by any person at any time if such animal is outside of the
17 owned or rented property of the owner or custodian of such animal and the animal is injuring any
18 person or farm animal, but **this exemption** shall not include ~~[police or guard dogs]~~ **the killing**
19 **or injuring of a law enforcement officer animal** while working;
- 20 (10) The killing of house or garden pests; or
- 21 (11) Field trials, training and hunting practices as accepted by the Professional
22 Houndsmen of Missouri.

578.022. Any dog that is owned, or the service of which is employed, by a law
2 enforcement agency and that bites **or injures** another animal or human in the course of their
3 official duties is exempt from the provisions of sections 273.033 ~~[and]~~ , 273.036 ~~[and section]~~
4 **578.012, and 578.024.**

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