

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 834, Page 18, Section 559.115, Line 77, by inserting after all of said section and line
3 the following:
4

5 "575.010. The following definitions shall apply to this chapter and chapter 576:

6 (1) "Affidavit" means any written statement which is authorized or required by law to be
7 made under oath, and which is sworn to before a person authorized to administer oaths;

8 (2) "Government" means any branch or agency of the government of this state or of any
9 political subdivision thereof;

10 (3) "Highway" means any public road or thoroughfare for vehicles, including state roads,
11 county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

12 (4) "Judicial proceeding" means any official proceeding in court, or any proceeding
13 authorized by or held under the supervision of a court;

14 (5) "Juror" means a grand or petit juror, including a person who has been drawn or
15 summoned to attend as a prospective juror;

16 (6) "Jury" means a grand or petit jury, including any panel which has been drawn or
17 summoned to attend as prospective jurors;

18 (7) "Law enforcement animal" means a dog, horse, or other animal used in law enforcement
19 or a correctional facility, or by a municipal police department, fire department, search and rescue
20 unit or agency, whether the animal is on duty or not on duty. The term shall include, but not be
21 limited to, accelerant detection dogs, bomb detection dogs, narcotic detection dogs, search and
22 rescue dogs, and tracking animals;

23 (8) "Official proceeding" means any cause, matter, or proceeding where the laws of this
24 state require that evidence considered therein be under oath or affirmation;

25 ~~[(8)"Police animal" means a dog, horse or other animal used in law enforcement or a~~
26 ~~correctional facility, or by a municipal police department, fire department, search and rescue unit or~~
27 ~~agency, whether the animal is on duty or not on duty. The term shall include, but not be limited to,~~
28 ~~accelerant detection dogs, bomb detection dogs, narcotic detection dogs, search and rescue dogs and~~
29 ~~tracking animals;]~~

30 (9) "Public record" means any document which a public servant is required by law to keep;

Action Taken _____ Date _____

(10) "Testimony" means any oral statement under oath or affirmation;

(11) "Victim" means any natural person against whom any crime is deemed to have been perpetrated or attempted;

(12) "Witness" means any natural person:

(a) Having knowledge of the existence or nonexistence of facts relating to any crime; or

(b) Whose declaration under oath is received as evidence for any purpose; or

(c) Who has reported any crime to any peace officer or prosecutor; or

(d) Who has been served with a subpoena issued under the authority of any court of this state.

575.353. 1. This section shall be known and may be cited as "Max's Law".

2. 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.]~~ 3. The offense of assault on a ~~[police]~~ law enforcement animal is a ~~[class C misdemeanor, unless]~~:

(1) Class A misdemeanor, 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 D 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~~[,]~~ and sections 578.005 to 578.023 shall not apply to:

(1) Care or treatment performed by a licensed veterinarian within the provisions of chapter 340;

(2) Bona fide scientific experiments;

(3) Hunting, fishing, or trapping as allowed by chapter 252, including all practices and privileges as allowed under the Missouri Wildlife Code;

(4) Facilities and publicly funded zoological parks currently in compliance with the federal "Animal Welfare Act" as amended;

(5) Rodeo practices currently accepted by the Professional Rodeo Cowboy's Association;

(6) The killing of an animal by the owner thereof, the agent of such owner, or by a veterinarian at the request of the owner thereof;

(7) The lawful, humane killing of an animal by an animal control officer, the operator of an animal shelter, a veterinarian, or law enforcement or health official;

(8) With respect to farm animals, normal or accepted practices of animal husbandry;

1 (9) The killing of an animal by any person at any time if such animal is outside of the owned
2 or rented property of the owner or custodian of such animal and the animal is injuring any person or
3 farm animal, but this exemption shall not include ~~[police or guard dogs]~~ the killing or injuring of a
4 law enforcement animal while working;

5 (10) The killing of house or garden pests; or

6 (11) Field trials, training and hunting practices as accepted by the Professional Houndsmen
7 of Missouri.

8 578.022. Any dog that is owned, or the service of which is employed, by a law enforcement
9 agency and that bites or injures another animal or human in the course of their official duties is
10 exempt from the provisions of sections 273.033 ~~[and]~~, 273.036 ~~[and section]~~, 578.012, and
11 578.024."; and

12
13 Further amend said bill by amending the title, enacting clause, and intersectional references
14 accordingly.