

FIRST REGULAR SESSION

# HOUSE BILL NO. 1101

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE WEBER.

2394H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 261, RSMo, by adding thereto one new section relating to controlled livestock grazing.

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

Section A. Chapter 261, RSMo, is amended by adding thereto one new section, to be known as section 261.181, to read as follows:

**261.181. 1. As used in this section, "department" means the department of agriculture.**

**2. The department shall establish a controlled livestock grazing program to provide standards for controlled livestock grazing operations in the clearing of vegetation from land. The program shall specify at least the following:**

**(1) The livestock authorized for use in a controlled livestock grazing operation;**

**(2) A once-per-year limitation on the number of times that controlled livestock grazing is authorized to be used on a designated plot of land;**

**(3) A thirty-day limitation on the number of consecutive days in a year that controlled livestock grazing is authorized to be used on a designated plot of land;**

**(4) The structures or enclosures authorized for use by a controlled livestock grazing contractor in a controlled livestock grazing operation;**

**(5) Containment requirements for livestock used in a controlled livestock grazing operation;**

**(6) Permit requirements and fees;**

**(7) Insurance or bond requirements for a controlled livestock grazing contractor;**

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.

18           **(8) The proper care for livestock used in a controlled livestock grazing**  
19 **operation;**

20           **(9) Requirements for regulating noise produced by livestock used in a controlled**  
21 **livestock grazing operation;**

22           **(10) Notice requirements for neighbors or landowners adjacent to land on which**  
23 **a controlled livestock grazing operation is conducted; and**

24           **(11) Any other necessary provision as determined by the department.**

25           **3. An individual who desires to conduct a controlled livestock grazing operation**  
26 **as a controlled livestock grazing contractor shall obtain a permit from the department**  
27 **for such operation as required under this section.**

28           **4. An individual who meets the requirements of the program established under**  
29 **this section and obtains the required permit may temporarily place structures or**  
30 **enclosures for livestock used in a controlled livestock grazing operation. No such**  
31 **temporary structure or enclosure placed for controlled livestock grazing under this**  
32 **section shall be required to comply with fencing requirements in chapter 272.**

33           **5. (1) There is hereby created in the state treasury the "Controlled Livestock**  
34 **Grazing Program Fund", which shall consist of moneys collected under this section.**  
35 **The state treasurer shall be custodian of the fund. In accordance with sections 30.170**  
36 **and 30.180, the state treasurer may approve disbursements. The fund shall be a**  
37 **dedicated fund and, upon appropriation, moneys in this fund shall be used solely for the**  
38 **implementation and administration of the controlled livestock grazing program**  
39 **established in this section.**

40           **(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys**  
41 **remaining in the fund at the end of the biennium shall not revert to the credit of the**  
42 **general revenue fund.**

43           **(3) The state treasurer shall invest moneys in the fund in the same manner as**  
44 **other funds are invested. Any interest and moneys earned on such investments shall be**  
45 **credited to the fund.**

46           **6. The department may promulgate all necessary rules and regulations for the**  
47 **implementation and administration of this section. Any rule or portion of a rule, as that**  
48 **term is defined in section 536.010, that is created under the authority delegated in this**  
49 **section shall become effective only if it complies with and is subject to all of the**  
50 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**  
51 **536 are nonseverable and if any of the powers vested with the general assembly**  
52 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**

53 a rule are subsequently held unconstitutional, then the grant of rulemaking authority  
54 and any rule proposed or adopted after August 28, 2023, shall be invalid and void.

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