

HCS HB 1116 -- FENCES AND ENCLOSURES

SPONSOR: Haden

COMMITTEE ACTION: Voted "Do Pass with HCS by Consent" by the Standing Committee on Agriculture by a vote of 21 to 0. Voted "Do Pass" by the Standing Committee on Consent and Procedure by a vote of 9 to 0.

The following is a summary of the House Committee Substitute for HB 1116.

This bill specifies that if the owner of a property or a contractor hired by the owner constructs, maintains, or repairs a division fence used to enclose a field or enclosure where animals are kept, the owner or contractor may enter onto the adjoining property up to 10 feet to repair, maintain or construct the fence. The owner or contractor is not liable for damages for clearing any trees, brush, or vegetation within the 10 foot boundary or division fence. However the owner or contractor would be liable for damages caused by entry onto the adjoining property, including damages to crops.

These provisions do not include adjoining property owned by any utility company, railroad, or certain zoological parks, wildlife conservation facilities, or animal sanctuaries. The provisions do not allow an owner or contractor to enter into a building on the adjoining property.

This bill is similar to HB 1729 (2024).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that historically, Missouri fence laws required both property owners to maintain the fence. Currently, in most counties, the person who owns livestock must maintain a lawful fence. However, repairing a fence may require entering the neighbor's property to access the fence. This bill would ensure that fence repairs can be performed without the threat of trespassing.

Testifying in person for the bill were Representative Haden; Arnie Dienoff; Missouri Corn Growers Association; Missouri Soybean Association; Missouri Cattlemens Association; Missouri Farm Bureau; Brent Haden.

OPPONENTS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say the St. Louis Zoo operates an animal reserve in Franklin County that Federal regulations prohibits entrance by unauthorized persons. The zoo would like to be excluded from the provisions of the bill for compliance with Federal law.

Testifying in person on the bill was St. Louis Zoo.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.