

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 2292, Page 7, Section 273.415, Line
2 22, by inserting after all of said section and line the following:

3
4 "578.006. 1. A person commits the offense of making a malicious false report of animal
5 abuse if:

6 (1) The person purposely makes a report to a law enforcement agency or an applicable
7 government agency alleging the abuse of any animal in a manner punishable under section
8 578.012;

9 (2) The person knows that such a report is false;

10 (3) The person makes the report with the purpose of disrupting, harassing, causing a
11 monetary loss to, or disturbing the peace of the owner of the animal; and

12 (4) Such report causes a disruption, harassment, monetary loss, or disturbance of the
13 owner of the animal.

14 3. The offense of making a malicious false report of animal abuse is a class C
15 misdemeanor.

16 4. It shall be an absolute defense for a prosecution of the offense of making a malicious
17 false report of animal abuse if the reporting party reported an incident of animal abuse out of a
18 good faith, reasonable belief that an animal was being abused. The defendant shall have the
19 burden of injecting this defense under this subsection. If a defendant asserts that his or her report
20 of animal abuse was made from a good faith, reasonable belief that an animal was being abused,
21 the state shall have the burden to prove beyond a reasonable doubt that the defendant did not
22 have a good faith, reasonable belief that such a report was true.

23 578.012. 1. A person commits the offense of animal abuse if he or she:

24 (1) Intentionally or purposely kills an animal in any manner not allowed by or expressly
25 exempted from the provisions of sections 578.005 to 578.023 and 273.030;

26 (2) Purposely or intentionally causes injury or suffering to an animal; or

27 (3) Having ownership or custody of an animal knowingly fails to provide adequate care
28 which results in substantial harm to the animal.

29 2. Animal abuse is a class A misdemeanor, unless the defendant has previously been
30 found guilty of animal abuse or the suffering involved in subdivision (2) of subsection 1 of this
31 section is the result of torture [or], mutilation [or], or starvation knowingly inflicted

Action Taken _____ Date _____

1 while the animal was alive, in which case it is a class E felony."; and

2

3 Further amend said bill by amending the title, enacting clause, and intersectional references

4 accordingly.