

HCS HB 2297 -- FENCES AND ENCLOSURES

SPONSOR: Haden

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Agriculture by a vote of 18 to 3.

The following is a summary of the House Committee Substitute for HB 2297.

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, a 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.

The owner of the adjoining property owes no duty of care to give any warning with respect to any natural or artificial condition, structure or personal property, as specified in the bill.

This bill is similar to HB 1116 (2025).

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

PROPOSERS: 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, landowners don't always have the ability to repair the fence because it 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 Farm Bureau; and Missouri Cattlemen's Association.

OPPONENTS: There was no opposition voiced to the committee.

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.