

HB 2436 -- OFFENSES INVOLVING ANIMALS (Van Schoiack)

COMMITTEE OF ORIGIN: Standing Committee on Agriculture

This bill changes the laws regarding offenses involving animals.

ANIMAL ABUSE OFFENSES (Sections 578.006 and 578.012)

The bill creates the offense of filing a malicious false report of animal abuse, which is a class C misdemeanor. This bill specifies that the offense of animal abuse is a class E felony if the person who has ownership or custody of an animal knowingly starves the animal. The bill also removes the requirement that any torture or mutilation inflicted on a live animal be done consciously.

OFFENSE OF ANIMAL NEGLECT (Sections 578.009 and 578.022)

The bill modifies the offense of animal neglect to include a person who has custody or ownership of an animal, other than livestock, and fails to provide adequate control.

If a person fails to provide adequate care or control that results in:

- (1) Property damage, it is a class B misdemeanor, unless the damage exceeds \$750, then it is a class E felony;
- (2) Physical injury to a person, it is a class A misdemeanor;
- (3) Serious physical injury to a person, it is a class E felony;
or
- (4) Death to a person, it is a class D felony.

The bill also repeals a provision allowing the court to waive all fines and penalties for the first finding of guilt if the person shows that the adequate, permanent remedies have been made.

The bill also exempts law enforcement dogs that bites or injures another animal or human in the course of their official duties from the provisions of animal neglect.

IMPOUNDMENT OF ANIMALS (Section 578.018)

In its main provisions, the bill:

(1) Specifies that a law enforcement official can seek a warrant to enter private property to inspect, care for, or impound neglected or abused animals. Currently, either a law enforcement official or a duly authorized public health official can seek the warrant;

(2) Prohibits an animal from being sterilized before the completion of the disposition hearing unless it is necessary to save life or relieve suffering;

(3) Allows a third party approved by the court to care for impounded animals;

(4) Specifies that the owner of any animal that has been impounded cannot be responsible for the animal's care and keeping prior to a disposition hearing if at the hearing, there is no finding of abuse or neglect by the court and the court orders the animals returned to the owner;

(5) Requires a reasonable bond or security to be posted within 72 hours of the disposition hearing in an amount sufficient to provide for the care of the animal and consistent with the fair market cost of boarding the animal in an appropriate retail boarding facility if the owner, custodian, or any person claiming an interest in an animal that has been impounded because of neglect or abuse would like to prevent disposition of the animal after the disposition hearing and while the criminal case proceeds. Currently, the owner, custodian, or any person claiming an interest in an animal that has been impounded because of neglect or abuse can prevent disposition of the animal by posting bond or security in an amount sufficient to provide for the animal's care for at least 30 days, inclusive of the date on which the animal was taken into custody;

(6) Specifies that all animals impounded must receive proper care as determined by state law and regulations. Any facility or organization must be liable to the owner for damages for any negligent act or abuse of the animal which occurs while the animal is in its care, custody, and control;

(7) Specifies that in the event that an animal owner is not liable for the costs incurred while the charges were pending, the costs of care and the liability for the life or death of the

animal and medical procedures performed are the responsibility of the confiscating agency;

(8) Allows an owner to demand the return of the animal held in custody if he or she posted a sufficient bond and is acquitted or there is a final discharge without a conviction unless there is a settlement agreement, consent judgment, or a suspended imposition of sentence. Any entity with care, custody, and control of the animal must immediately return it to the owner upon demand and proof of the acquittal or final discharge without conviction. The animal owner must not be liable for any costs incurred relating to the placement or care of the animal while the charges were pending unless there is a settlement agreement, consent judgment, or a suspended imposition of sentence; and

(9) Specifies that any person or entity that intentionally euthanizes, other than as permissible under the provisions of the bill, or intentionally sterilizes an animal prior to a disposition hearing or during any period for which a reasonable bond was secured for the animal's care will be guilty of a class B misdemeanor and is liable to the owner for damages including the actual value of the animal. Each individual animal for which a violation occurs is a separate offense. Any second or subsequent violation is a class A misdemeanor, and any entity licensed under state law must be subject to licensure sanction by its governing body.

IMPOUNDING OF DOGS (Section 273.100)

Currently, every city or town marshal of an incorporated city or town in the State must impound all dogs running at large without a collar and any owner must pay a fee to retrieve the dog. This bill repeals this provision of law.

This bill is similar to HB 2904, SB 1352, HB 1714 and HB 2770 (2026); HB 489 (2025).