

HCS HB 3304 -- OFFENSES INVOLVING ANIMALS

SPONSOR: Justus

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Judiciary by a vote of 11 to 1.

The following is a summary of the House Committee Substitute for HB 3304.

This 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 offense of keeping a dangerous dog is currently a class A misdemeanor if the attack results in serious injury and a class E felony if the current and previous attacks result in serious injury. Under this bill, the offense is a class A misdemeanor if the attack results in serious physical injury, and it is a class E felony if the current and any previous attacks result in serious physical injury.

This bill is similar to HB 1929 (2026).

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 this bill came about when a constituent's child was mauled by three dogs and the dogs still

live in the neighborhood and have gotten loose since the attack. The child has scars but the lasting trauma is worse. There is nothing that can be done to hold the owners responsible because prosecutors have a hard time explaining what "serious injury" is. Law enforcement at the time said they could not do anything because none of the dogs had ever been noted as having bitten before. The intent is to hold owners accountable when dogs bite and cause serious physical injury. This is not meant to apply to any particular breed. Dogs that haven't bitten before can be impounded and held but only if it's in a county that has a place to hold dogs. If there isn't one, there is nothing law enforcement can do. It is typically a pack situation where it is more than one dog involved in an attack, but it does happen when just one dog is involved. It also is most common that the attacking dog was not on its own property. Supporters further state that many people think dog bites are unpredictable, but they are predictable and, in every case, it's because of a human failure. Dog owners are not trained to look for behavior indicators so they do not know. Dogs are driven by pack, prey, or defense. A good plan would be to train dog owners so they can recognize behaviors of dogs before they bite and teach responsible dog ownership.

Testifying in person for the bill were Representative Justus; Merry Anne Rutledge; Jansen Scott Cheek; Arnie Dienoff; Eric Hudson; Courtney Hudson; Ashley Cole; and Matt Frederick, Laclede County Sheriff's Office.

OPPONENTS: Those who oppose the bill say that removing the first bite rule is concerning because a dog simply being rambunctious could lead to a criminal charge for the owner. Dogs should not attack people, but this bill needs to be tightened up because there are different kinds of owners: responsible and irresponsible. There are also concerns about the term serious emotional injury in this bill, primarily because it is easy to claim serious emotional injury for basically anything.

Testifying in person against the bill were Humane World for Animals; and Animal Legal Defense Legislative Fund.

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.