

HOUSE BILL 951



Prohibits police and animal control officers from enforcing animal cruelty laws

HB 951 grants **exclusive authority** to the Missouri Department of Agriculture (MDA), Missouri Department of Natural Resources (DNR), and county sheriffs to enforce all of the laws of the state of Missouri on premises harboring animals.

The bill's current language would thereby prohibit municipal police officers and animal control officers from responding to complaints of animal abuse and neglect and from enforcing the state's anti-cruelty statutes. The enforcement of laws protecting animals would instead be limited to those counties which utilize a sheriff for the enforcement of its criminal laws.

As a result, all jurisdictions that do not utilize a sheriff for the enforcement of its anti-cruelty statutes such as St. Louis City, St. Louis County, Kansas City, Columbia and other similar jurisdictions would no longer be allowed to respond to animal neglect and abuse cases. **HB 951 allows animal abusers to operate with impunity in the most populated areas of the state.**

HB 951 would also prohibit animal control officers, local police officers, and zoning boards from enforcing **all local ordinances** that serve to protect the welfare of the animals. In addition, HB 951 would nullify all nuisance ordinances and conditional use permits to oversee dog breeding which exist in Boone, Platte, Clay, Clinton, Jackson, Greene and St. Charles Counties, to name a few.

HB 951 would also interfere with the enforcement of animal protection laws **even in counties with sheriffs**, as some county sheriffs, due to budget restraints, rely on animal control officers to respond to abuse and neglect complaints and enforce animal welfare laws.

The sponsor of HB 951 contends that his intent is solely to impede police and animal control officers in their criminal investigations into animal abuse and neglect of farm animals and of dogs in state licensed breeding facilities. Yet, HB 951 states that police and animal control officers are barred from inspecting animals that are used for the "production or raising of dogs **or other animals.**" HB 951 clearly covers "other animals" than merely farm animals or dogs in state licensed breeding facilities. In addition, there is no definition of "raising." Since HB 951

specifically distinguishes “raising” from “production,” attorneys affirm that “raising” is no longer associated with breeding an animal but with its nurture and care. Unless the person recently acquired an animal, it is difficult to contend that the owner did not raise it. The sponsor has had numerous requests and opportunities to amend HB 951 to clarify his intent if he truly wanted to only prohibit police officers and animal control officers from inspecting farms and licensed commercial dog breeders – and has refused to do so.

In fact, a strict interpretation of HB 951 would prohibit municipal police officers from enforcing all criminal laws on facilities harboring animals. HB 951 does not specify what state statutes that local law enforcement agencies are prohibited from enforcing on premises where animals reside. Rather, HB 951 grants exclusive authority for the enforcement of all state laws and regulations as well as local ordinances to MDA, DNR, and county sheriffs. Animal owners living in St. Louis City, St. Louis County, Kansas City, Columbia and other similar municipalities would have to call on MDA when a crime is committed on their premises.

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