

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Section A. Chapter 273, RSMo, is amended by adding thereto one new section, to be known as section 273.450, to read as follows:

273.450. 1. As used in this section, the following terms shall mean: (1) "Peace officer", the same as defined in section 590.010;

(2) "Train" or "training", the process of bringing a person to a desired standard of proficiency by practice and instruction.

2. (1) Each individual, or organization on behalf of a group of individuals, seeking to train peace officers in responding to animal neglect and abuse incident reports shall, on an annual basis, submit all training materials, including any general guidebooks and state law specific handouts or inserts, relating to animal care to the state veterinarian for review and approval to ensure that such materials do not contradict, or are not intentionally misleading, in regards to the provisions relating to animals under chapters 267 to 273.

(2) Each individual, or organization on behalf of a group of individuals, seeking to train peace officers in responding to animal neglect and abuse incident reports shall, on an annual basis, submit all training materials, including any general guidebooks and state law specific handouts or inserts, relating to criminal offenses involving animals to the department of public safety for review and approval to ensure that such materials do not contradict, or are not intentionally misleading, in regards to the provisions of chapter 578.

(3) The state veterinarian and the department of public safety shall review submitted materials within fourteen calendar days, and either approve or disapprove such materials. If such materials are disapproved, the respective entity shall notify the individual or organization, in writing, of the deficiencies of the materials. If the individual or organization disagrees with the state veterinarian or the department of public safety, such individual or organization may appeal such decision to the director of the department of agriculture and the director of the department of public safety, respectively. If such individual or organization does make such appeal, they shall be issued a temporary fourteen day certification by the respective entity. The director shall review such individual's or organization's materials within fourteen days and notify the individual or organization of the director's final decision. Or, if the individual or organization does not appeal such decision, they may cure such deficiencies and resubmit such materials for review. If the state veterinarian or department of public safety do not review the submitted materials and notify the individual or organization within fourteen calendar days, such materials shall be deemed approved by the respective entity.

(4) Upon approving an individual's materials, or an organization's materials on behalf of a group of individuals, the entity that approved the materials shall issue the individual or organization a certification stating that such materials have been reviewed and approved, and are in uniformity with certain provisions of state law.

3. Any individual, or organization on behalf of a group of individuals, submitting materials to the state veterinarian under subsection 2 of this section, shall indemnify and hold the state veterinarian, in his or her official capacity, and the department of agriculture harmless against all claims, injuries, damages, losses, or suits as a result of such individual, or organization on behalf of a group of individuals, modifying such materials after such materials have been approved, and using such modified materials to train peace officers in responding to animal care and abuse incident reports.

4. No individual, or organization on behalf of a group of individuals, shall engage in the business of training peace officers in responding to animal neglect and abuse incident reports relating to animal care if such individual or organization has not obtained a certification from the state veterinarian ensuring that training materials are in uniformity with provisions relating to animals under chapters 267 to 273. No individual, or organization on behalf of a group of individuals, shall engage in the business of training peace officers in responding to animal neglect and abuse incident reports relating to criminal offenses involving animals if such individual or organization has not obtained a certification from the department of public safety ensuring that training materials are in uniformity with the provisions of chapter 578.

5. A person commits the offense of unlawful animal care training if he or she knowingly engages in the business of animal care training of peace officers, as either an individual or on behalf of an organization, if such individual is performing such training:

(1) Using materials relating to animal care that have not been certified or temporarily certified by the state veterinarian for being in uniformity with chapters 267 and 273; or

(2) Using materials relating to criminal offenses involving animals that have not been certified or temporarily certified by the department of public safety for being in uniformity with chapter 578.

6. The first offense of unlawful animal care training shall be an infraction. Any second or subsequent offense of unlawful animal care training is a class D misdemeanor.

7. This section shall not apply to individuals or organizations solely advocating for the enforcement of laws protecting animals or bringing the existence of such laws to the attention of law enforcement.

8. The department of agriculture and the department of public safety may promulgate rules for administering this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2018, shall be invalid and void.

Section B. Section A of this act shall become effective on January 1, 2019.