

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE JOINT RESOLUTION NO. 17

## 96TH GENERAL ASSEMBLY

0678L.07C

D. ADAM CRUMBLISS, Chief Clerk

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### JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment to article I of the Constitution of Missouri, and adopting one new section relating to freedom in agriculture.

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*Be it resolved by the House of Representatives, the Senate concurring therein:*

That at the next general election to be held in the state of Missouri, on Tuesday next  
2 following the first Monday in November, 2012, or at a special election to be called by the  
3 governor for that purpose, there is hereby submitted to the qualified voters of this state, for  
4 adoption or rejection, the following amendment to article I of the Constitution of the state of  
5 Missouri:

Section A. Article I, Constitution of Missouri, is amended by adding one new section,  
2 to be known as section 35, to read as follows:

**Section 35. 1. This section shall be known as the "Freedom in Agriculture Act".**  
2  
3 **2. Agriculture which provides food, energy, and security is the foundation and**  
4 **stabilizing force of Missouri's economy. To protect this vital sector of Missouri's economy,**  
5 **it shall be the right of citizens to harvest bird, fish, game, wildlife, or forestry resources or**  
6 **grow crops or raise animals in a humane manner without the state imposing an undue**  
7 **economic burden on animal owners. Notwithstanding the provisions of article III, sections**  
8 **49 and 50 to the contrary, no state law relating to the opportunity to harvest bird, fish,**  
9 **game, wildlife, or forestry resources shall be valid unless authorized by section 40(a) of**  
10 **article IV. Notwithstanding the provisions of sections 49 and 50 to the contrary, no state**  
11 **law relating to the right to grow crops or regulating the welfare of any animal shall be**  
12 **valid unless based upon generally accepted and validated scientific principles and enacted**  
13 **by the general assembly or promulgated by a state department or agency through**  
**administrative rule pursuant to valid statutory authority and reviewed by the joint**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 committee on administrative rules. No statute or regulation as of the date of enactment of  
15 this section shall be affected as a result of this section.

16 3. As used in this section, the following terms shall mean:

17 (1) "Animals", an animal of the equine, bovine, porcine, ovine, caprine, avian, or  
18 species domesticated or semidomesticated; ratite birds including but not limited to ostrich  
19 and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo, elk, deer  
20 documented as obtained from a legal source and not from the wild and raised in  
21 confinement for human consumption or animal husbandry, poultry, cats, dogs, and exotic  
22 animals;

23 (2) "Crops", any vegetable or fruit grown on residential property for personal  
24 consumption, and any unmanufactured vegetables, fruits, grains and feeds including, but  
25 not limited to, soybeans, cow peas, wheat, corn, rice, oats, barley, kafir, rye, flax, grain  
26 sorghums, cotton, and such other products as are usually stored in grain and other  
27 elevators and on farms; but excluding genetically modified crops or crops grown from  
28 genetically modified seeds, and plants regulated pursuant to criminal law;

29 (3) "Generally accepted and validated scientific principles", agricultural standards  
30 and practices established by the most current validated industry standards and practices;

31 (4) "Humane manner", care of animals regarding the animal's health and  
32 environment in compliance with generally accepted and validated scientific principles and  
33 defined by law;

34 (5) "Undue economic burden", arbitrary and capricious fees imposed or expenses  
35 incurred as a result of changes in agricultural practices deemed legal under state or local  
36 laws or ordinances.

37

38 The provisions of this section are self-executing. All of the provisions of this section are  
39 severable. If any provision of this section is found by a court of competent jurisdiction to  
40 be unconstitutional or unconstitutionally enacted, the remaining provisions of this section  
41 shall be and remain valid.