

HB 964 -- Animal Slaughter or Processing Facility

Sponsor: Houghton

This bill prohibits a Missouri court from issuing an injunction to stop or delay the construction of a licensed animal slaughter or processing facility based on a challenge or appeal of a permit, license, certificate, or other approval under environmental laws or the inspection provisions for meat processing plants. If a person files an action against a facility and does not prevail, the person is liable for all financial losses the facility suffers if the court issues an injunction that stops operations while the action is pending.

If a court action is filed to challenge the license, permit, certificate, or other approval for an animal slaughter or processing facility under the laws governing meat processing plants, the court must require a surety bond from the person filing the action. The bond must be set at 20% of the estimated cost of building the facility or the operational cost of an existing facility. The bonding requirements do not apply to an indigent person. If the bond is not paid within 30 days of the filing, the action is dismissed.

An action challenging the decision to issue a license, permit, certificate, or other approval must be brought in the circuit court in the county the facility is to be built. If the court determines the challenge was without merit or was for an improper purpose, the court may award attorney fees and costs incurred in defending the action. A defendant in an action is not prevented from filing an action or counterclaim for relief.