

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 1765, Page 31, Section 565.188, Line 28,  
2 by inserting after all of said section and line the following:

3  
4 "565.188. 1. A person commits the offense of failure to report elder abuse or neglect if he  
5 or she is required to make a report as required under subdivision (2) of subsection 1 of section  
6 [197.1002] ~~192.2405~~, and knowingly fails to make a report.

7 2. The offense of failure to report elder abuse or neglect is a class A misdemeanor."; and  
8

9 Further amend said bill, Page 52, Section 577.060, Line 30, by inserting after all of said section and  
10 line the following:

11  
12 "578.005. As used in sections 578.005 to 578.023, the following terms shall mean:

13 (1) "Adequate care", normal and prudent attention to the needs of an animal, including  
14 wholesome food, clean water, shelter and health care as necessary to maintain good health in a  
15 specific species of animal;

16 (2) ["Adequate control", to reasonably restrain or govern an animal so that the animal does  
17 not injure itself, any person, any other animal, or property;

18 (3) "Animal", every living vertebrate except a human being;

19 [(4)] (3) "Animal shelter", a facility which is used to house or contain animals and which is  
20 owned, operated, or maintained by a duly incorporated humane society, animal welfare society,  
21 society for the prevention of cruelty to animals, or other not-for-profit organization devoted to the  
22 welfare, protection, and humane treatment of animals;

23 [(5)] (4) "Farm animal", an animal raised on a farm or ranch and used or intended for use  
24 in farm or ranch production, or as food or fiber;

25 [(6)] (5) "Farm animal professional", any individual employed at a location where farm  
26 animals are harbored;

27 [(7)] (6) "Harbor", to feed or shelter an animal at the same location for three or more  
28 consecutive days;

29 [(8)] (7) "Humane killing", the destruction of an animal accomplished by a method  
30 approved by the American Veterinary Medical Association's Panel on Euthanasia (JAVMA 173: 59-  
31 72, 1978); or more recent editions, but animals killed during the feeding of pet carnivores shall be  
32 considered humanely killed;

33 [(9)] (8) "Owner", in addition to its ordinary meaning, any person who keeps or harbors an  
34 animal or professes to be owning, keeping, or harboring an animal;

35 [(10)] (9) "Person", any individual, partnership, firm, joint stock company, corporation,  
36 association, trust, estate, or other legal entity;

Standing Action Taken \_\_\_\_\_ Date \_\_\_\_\_

Select Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1            [(11)] (10) "Pests", birds, rabbits, or rodents which damage property or have an adverse  
2 effect on the public health, but shall not include any endangered species listed by the United States  
3 Department of the Interior nor any endangered species listed in the Wildlife Code of Missouri."; and  
4

5 Further amend said bill, Section 578.022, Page 53, Line 4, by inserting after all of said section and  
6 line the following:  
7

8            "[578.011.] 578.040. 1. For purposes of this section, the following terms shall mean:

9            (1) "Adequate control", to reasonably restrain or govern an animal so that the animal does  
10 not injure itself, any person, any other animal, or property;

11            (2) "Animal", any living vertebrate except a human being or livestock as the term  
12 "livestock" is defined under section 265.300.

13            2. A person [is guilty] commits the offense of animal or livestock trespass if a person:

14            (1) Having ownership or custody of an animal knowingly fails to provide adequate control  
15 [for a period equal to or exceeding twelve hours] and the animal trespasses onto another person's  
16 property; or

17            (2) Having ownership or custody of livestock as the term "livestock" is defined under  
18 section 265.300 knowingly fails to provide adequate control of the livestock for a period of twelve  
19 hours or more and the livestock trespasses onto another person's property.

20            [2.] 3. The offense of animal or livestock trespass is an infraction [upon first conviction and  
21 for each offense punishable by a fine not to exceed two hundred dollars, and], unless the person has  
22 previously been found guilty of a violation of this section in which case it is a class C misdemeanor  
23 [punishable by imprisonment or a fine not to exceed five hundred dollars, or both, upon the second  
24 and all subsequent convictions]. All fines for a first [conviction of animal trespass] finding of guilt  
25 under this section may be waived by the court provided that the person found guilty of animal or  
26 livestock trespass shows that adequate, permanent remedies for the trespass have been made.

27 [Reasonable costs incurred for the care and maintenance of trespassing animals may not be waived.]

28 This section shall not apply to the provisions of section 578.007 or sections 272.010 to 272.370.";  
29 and

30  
31 Further amend said bill by amending the title, enacting clause, and intersectional references  
32 accordingly.