

# HOUSE BILL NO. 1707

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE ENGLISH.

5162H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 589, RSMo, by adding thereto one new section relating to the animal abuse registry.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 589, RSMo, is amended by adding thereto one new section, to be known as section 589.750, to read as follows:

**589.750. 1. The provisions of this section shall be known and may be cited as the “Missouri Animal Abuser Registration Act”.**

**2. As used in this section, the following terms shall mean:**

**(1) “Abuser” or “animal abuser”, a person who has been convicted in this state of committing an animal abuse offense;**

**(2) “Animal”, a companion animal not including livestock or wildlife;**

**(3) “Animal abuse offense”:**

**(a) Animal abuse under section 578.012;**

**(b) Dogfighting under section 578.025 if the person’s act constitutes a felony;**

**(c) Bullbaiting or cockfighting under section 578.050; or**

**(d) Sex with an animal under section 566.111;**

**(4) “Companion animal”, any live dog of the species *Canis familiaris* or live cat of the species *Felis catus*;**

**(5) “Conviction”, a judgment entered by a Missouri court upon a plea of guilty, a plea of *nolo contendere*, or a finding of guilt by a jury or the court, notwithstanding any pending appeal or habeas corpus proceeding arising from the judgment.**

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.

17           **3. Beginning January 1, 2017, the Missouri state highway patrol shall post a**  
18 **publicly accessible list on its website of any person convicted of an animal abuse offense**  
19 **on or after such date. The list shall include a photograph taken of each convicted animal**  
20 **abuser as part of the booking process, the animal abuser's full legal name, and other**  
21 **identifying data as the highway patrol determines is necessary to properly identify the**  
22 **animal abuser and to exclude innocent persons. The list shall not include the animal**  
23 **abuser's Social Security number, driver's license number, or any other state or federal**  
24 **identification number.**

25           **4. All circuit court clerks shall forward a copy of the judgment and date of birth**  
26 **of all persons convicted of an animal abuse offense to the Missouri state highway patrol**  
27 **within sixty calendar days of the date of judgment.**

28           **5. Upon a person's first conviction for an animal abuse offense, the Missouri state**  
29 **highway patrol shall maintain the person's name and other identifying information on the**  
30 **list under subsection 3 of this section for two years following the date of conviction, after**  
31 **which time the highway patrol shall remove the person's name and identifying information**  
32 **from the list; provided that, the person is not convicted of another animal abuse offense**  
33 **during such two-year period.**

34           **6. Upon a person's second or subsequent conviction for an animal abuse offense,**  
35 **the Missouri state highway patrol shall maintain the person's name and other identifying**  
36 **information on the list under subsection 3 of this section for five years following the date**  
37 **of the most recent conviction, after which time the highway patrol shall remove the**  
38 **person's name and identifying information from the list; provided that, the person is not**  
39 **convicted of another animal abuse offense during such five-year period.**

40           **7. The Missouri state highway patrol shall remove the person's name and**  
41 **identifying information from the registry list if the sole offense for which the person is**  
42 **required to be subject to the provisions of this section is expunged.**

43           **8. The Missouri state highway patrol may promulgate rules and regulations to**  
44 **implement the provisions of this section. Any rule or portion of a rule, as that term is**  
45 **defined in section 536.010, that is created under the authority delegated in this section shall**  
46 **become effective only if it complies with and is subject to all of the provisions of chapter**  
47 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and**  
48 **if any of the powers vested with the general assembly pursuant to chapter 536 to review,**  
49 **to delay the effective date, or to disapprove and annul a rule are subsequently held**  
50 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**  
51 **after August 28, 2016, shall be invalid and void.**

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