

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 574

101ST GENERAL ASSEMBLY

0542H.03P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 261, RSMo, by adding thereto one new section relating to the inspection of grounds or facilities used for certain agricultural purposes.

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

Section A. Chapter 261, RSMo, is amended by adding thereto one new section, to be known as section 261.099, to read as follows:

261.099. 1. The Missouri department of agriculture or its representative, the Missouri department of natural resources, the county sheriff for the county in which the facility is located, the United States Department of Agriculture, and any other federal or Missouri state agency with statutory or regulatory authority over the products, animals, or processes described in subdivisions (1) to (4) of this subsection have the exclusive authority to inspect grounds or facilities that are located in Missouri and that are used for:

- (1) The production of eggs;**
- (2) The production of milk or other dairy products;**
- (3) The raising of livestock or poultry; or**
- (4) The production or raising of dogs or other animals that are not used to produce any food product.**

2. No person, individual, corporation or other association, governmental agency, or any other entity except the entities described in subsection 1 of this section shall inspect the grounds or facilities described in subsection 1 of this section to enforce or carry out the laws or administrative rules of this state or a state other than Missouri unless specifically requested by the owner of the grounds or facilities, or pursuant to a search warrant lawfully issued by a court of competent jurisdiction.

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.

18 **3. (1) This section shall not apply to inspections performed in any charter county**
19 **or any city not within a county.**

20 **(2) This section shall not apply to inspections performed on any further processing**
21 **component of any production agriculture farm.**

22 **4. No testimony or evidence regarding any condition or event at the grounds or**
23 **facilities set forth in subsection 1 of this section shall be admissible in any criminal**
24 **prosecution or civil case unless such testimony or evidence is offered by:**

25 **(1) A representative of any agency or office set forth in subsection 1 of this section;**

26 **(2) Any person, individual, corporation or other association, governmental agency,**
27 **or other entity specifically authorized by the owner of such grounds or facilities to be**
28 **present at such grounds or facilities;**

29 **(3) Any person who entered such grounds or facilities pursuant to a valid search**
30 **warrant issued by the court of competent jurisdiction; or**

31 **(4) Any person who has observed a condition or event at the grounds or facilities**
32 **from public land or private land owned or rented by the person offering the testimony or**
33 **evidence.**

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