

HCS HB 574 -- AGRICULTURAL FACILITIES

SPONSOR: Haden

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Agriculture Policy by a vote of 11 to 5. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 7 to 1.

The following is a summary of the House Committee Substitute for HB 574.

This bill specifies that the Missouri Department of Agriculture, the United States Department of Agriculture, the county sheriff and any other federal or Missouri state agency with statutory or regulatory authority have exclusive authority to inspect the grounds or facilities in Missouri used for the production of eggs, milk or other dairy products, raising of livestock, or the production or raising of dogs or other animals not used to produce any food product. Unless requested by the owner of the facility, no other entity may inspect the grounds or facilities to enforce or carry out the laws or administrative rules of the state or that of another state.

The provisions of this bill do not apply to inspections in a charter county or the City of St. Louis or on any further processing component of a production agriculture farm.

No testimony or evidence offered regarding conditions or events at the described facilities by anyone other than those authorized may be admissible in any criminal prosecution or civil case unless the testimony is offered by someone who is authorized by the owner to be present at the facility or grounds, a person who entered pursuant to a valid search warrant, or a person who observed the condition or event from public land or private land owned or rented by such person.

This bill is similar to HCS HB 1583 (2020).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that this bill would clarify which agencies have the authority to inspect certain agricultural facilities. The bill would protect Missouri farmers from other states and outside organizations attempting to gain access to the facilities without legal authority. However, it also allows for

the farmer or producer to authorize other agencies to inspect, if the farmer or producer so chooses. The bill would also specify that evidence gained while inspecting a facility without proper authority could not be used in court.

Testifying for the bill were Representative Haden; Missouri Cattlemen's Association; Missouri Pork Association; Missouri Soybean Association; Missouri Pet Breeders Association; Missouri Federation of Animal Owners; Missouri Farm Bureau; and Missouri Corn Growers Association; Missouri Poultry Federation; Missouri Animal Husbandry Association; and the Missouri Veterinary Medical Association.

OPPONENTS: Those who oppose the bill say that the portion of the bill limiting evidence is too strict and would not allow whistle blowers to testify even if they are on the property under proper pretenses.

Testifying against the bill was Missouri Alliance for Animal Legislation; Missouri Rural Crisis Center; Missouri Association of Local Public Health Agencies/Michael Herbert; Nicklas Lobby; and the Sierra Club Missouri Chapter.

OTHERS: Others testifying on the bill presented the committee with information about similar inspection laws and proposed legislation in other states as well as discussed the importance of biosecurity to large livestock operations.

Testifying on the bill was Eleni Bickell, Most Policy Initiative.