

FIRST REGULAR SESSION

# HOUSE BILL NO. 149

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES COOPER (Sponsor), SCHAAF, GRISAMORE, SATER,  
WETER AND KELLY (Co-sponsors).

0128L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 650, RSMo, by adding thereto seven new sections relating to law enforcement canine team certification.

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

Section A. Chapter 650, RSMo, is amended by adding thereto seven new sections, to be known as sections 650.600, 650.602, 650.604, 650.606, 650.608, 650.610, and 650.612, to read as follows:

**650.600. As used in sections 650.600 to 650.612, the following terms shall mean:**

- (1) "Canine handler", a certified law enforcement officer authorized and designated by a law enforcement agency to utilize a police service dog to perform law enforcement duties;**
- (2) "Canine judge", any individual or law enforcement officer who is a master trainer or trainer in accordance with the standards of NAPWDA, MPCA, or USPCA, and is authorized by NAPWDA, MPCA, or USPCA to conduct testing and certification testing of canine teams;**
- (3) "Canine team", a police service dog and a certified law enforcement officer as the dog's exclusive handler;**
- (4) "Department", the department of public safety;**
- (5) "Law enforcement agency", any state, county, or municipal law enforcement agency in this state. Law enforcement agency shall not include the Missouri department of corrections, any agency of a political subdivision of this state which utilizes canines**

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.

15 exclusively in jails or prisons, any state, county, or municipal fire department, or any  
16 federal agency;

17 (6) "MPCA", the Missouri Police Canine Association;

18 (7) "NAPWDA", the North American Police Work Dog Association;

19 (8) "Police service dog", a canine used by a law enforcement agency to assist a law  
20 enforcement officer;

21 (9) "USPCA", the United States Police Canine Association.

650.602. 1. Beginning July 1, 2010, no state, county, or municipal law enforcement  
2 agency or law enforcement officer shall use a canine to perform or assist in the  
3 performance of any law enforcement specialties set forth in subsection 3 of this section  
4 unless the canine team is certified by an association approved by the department of public  
5 safety as a canine team.

6 2. The department shall by rule establish standards and criteria for canine  
7 certification and recertification. Such standards and criteria shall include, but not be  
8 limited to, testing in the following four areas:

9 (1) Obedience, in accordance with the NAPWDA, MPCA, or USPCA standards;

10 (2) Aggression, in accordance with the NAPWDA, MPCA, or USPCA standards;

11 (3) Narcotics detection, in accordance with the NAPWDA, MPCA, or USPCA  
12 standards; and

13 (4) Explosives detection, in accordance with the NAPWDA, MPCA, or USPCA  
14 standards.

15 3. Each law enforcement canine team in this state shall be initially certified and  
16 annually recertified in one or more of the following specialties:

17 (1) The detection of the odors of drugs and controlled substances, including but not  
18 limited to marijuana and its derivatives, cocaine, heroin, and methamphetamine, or any  
19 other illegal narcotics;

20 (2) The detection of the odors of explosive materials, explosive devices, and  
21 materials which can be used to construct an explosive device;

22 (3) The detection of odors of any other substances or materials which can be used  
23 with criminal intent;

24 (4) Apprehension or search skills, including but not limited to tracking, building  
25 suspect search, article recovery, evidence search; and

26 (5) Suspect apprehension.

27 4. A canine team shall be certified only upon passage of an evaluation conducted  
28 by an authorized canine judge.

1           **650.604. 1. Unless renewed, certification as a canine team shall expire one year**  
2 **after the date of issuance.**

3           **2. A canine team may renew its certification by satisfying the requirements for**  
4 **certification and passing a recertification evaluation prescribed and administered by an**  
5 **authorized canine judge.**

6           **650.606. The appropriate law enforcement agency shall maintain canine team**  
7 **certification and recertification evaluations filed by canine judges. Such documents shall**  
8 **be provided to the department upon request.**

9           **650.608. 1. A canine team failing an evaluation required by sections 650.600 to**  
10 **650.612 may, after thirty days, repeat the evaluation. A law enforcement agency shall not**  
11 **use a canine team to perform any of the specialties set forth in subsection 3 of section**  
12 **650.602 while the canine team is waiting to repeat a failed examination.**

13           **2. The department shall not impose a fee for certification or recertification of a**  
14 **canine team, or to retake an evaluation.**

15           **650.610. The department may revoke or suspend the certification of any canine**  
16 **team or authorization of any canine judge if the canine team or canine judge violates any**  
17 **state law or rule of the department. In addition, the department may revoke or suspend**  
18 **the certification of any canine team if the team fails to maintain compliance with the**  
19 **standards set forth by the NAPWDA, MPCA, or USPCA.**

20           **650.612. The department shall promulgate rules to implement the provisions of**  
21 **sections 650.600 to 650.612. Any rule or portion of a rule, as that term is defined in section**  
22 **536.010, RSMo, that is created under the authority delegated in sections 650.600 to 650.612**  
23 **shall become effective only if it complies with and is subject to all of the provisions of**  
24 **chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter**  
25 **536, RSMo, are nonseverable and if any of the powers vested with the general assembly**  
26 **pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and**  
27 **annul a rule are subsequently held unconstitutional, then the grant of rulemaking**  
28 **authority and any rule proposed or adopted after August 28, 2009, shall be invalid and**  
29 **void.**

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