

FIRST REGULAR SESSION

HOUSE BILL NO. 1004

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LOW (Sponsor), KRATKY, TALBOY, CHAPPELLE-NADAL,
FISCHER (107), CARTER, SCHUPP, STORCH, MEINERS, OXFORD, LIESE,
COLONA AND ROORDA (Co-sponsors).

2290L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 273, RSMo, by adding thereto two new sections relating to the puppy mill cruelty prevention act, with a penalty provision.

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

Section A. Chapter 273, RSMo, is amended by adding thereto two new sections, to be
2 known as sections 273.375 and 273.380, to read as follows:

273.375. 1. Sections 273.375 and 273.380 shall be known and may be cited as the
2 "Puppy Mill Cruelty Prevention Act".

3 2. As used in this section and section 273.380, the following terms shall mean:

4 (1) "Adequate food and water", the consumption of sufficiently nutritious food at
5 least once a day to maintain good health, and access to potable water that is not frozen and
6 is free of debris, feces, and other contaminants;

7 (2) "Adequate housing", any structure used to house a dog with a solid floor, or a
8 slatted floor with gaps of no more than one-half inch between slats, that is not stacked or
9 otherwise placed on top of or below another animal's enclosure, which is at least three
10 times the length of the largest dog in the enclosure, provides each dog at least six inches of
11 headroom, and which is placed no higher than forty-two inches above the floor;

12 (3) "Adequate shelter", at minimum, sufficient protection from heat, cold, rain,
13 snow, and other elements to ensure proper health and safety of the dog, including an
14 environment that does not fall below fifty degrees or rise above eighty-five degrees
15 Fahrenheit;

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.

16 (4) "Adequate rest between breeding cycles", at minimum, ensuring that dogs are
17 not bred during consecutive heat cycles and are not bred before attaining one year of age;

18 (5) "Adequate veterinary care", at minimum, examination at least once yearly, or
19 prior to each attempt at breeding, whichever occurs more frequently, by a licensed
20 veterinarian; prompt treatment of any illness or injury by a licensed veterinarian; and
21 where needed, humane euthanasia to be performed only by a licensed veterinarian using
22 techniques identified as acceptable by the American Veterinary Medical Association, and
23 in accordance with applicable federal and state laws;

24 (6) "Dog", any species of the domestic dog, *canis lupus familiaris*, or resultant
25 hybrids;

26 (7) "Fully extend his or her limbs", fully extending all limbs while lying down
27 without touching the side of an enclosure or another dog;

28 (8) "Humane organization", an incorporated nonprofit society or association which
29 exists for the purpose of harboring seized, stray, homeless, abandoned, or unwanted dogs,
30 and which does not engage in the breeding of any dogs;

31 (9) "Intact dogs", any dog with intact sexual organs;

32 (10) "Person", any individual, firm, partnership, joint venture, association, limited
33 liability company, corporation, estate, trust, receiver, or syndicate;

34 (11) "Regular exercise", at minimum, one exercise period during each day for a
35 total of not less than one hour for each dog over the age of four months, which shall include
36 removal from the dog's primary enclosure and which shall allow the dog free mobility for
37 the entire exercise period by either leash walking or giving the dog access to a space at least
38 four times the size of the primary enclosure, but shall not include use of a treadmill, jenny
39 mill, slat mill, or similar device, unless prescribed by a doctor of veterinary medicine to
40 address a specific medical condition;

41 (12) "Retail pet store", a person or retail establishment where dogs are bought,
42 sold, exchanged, or offered for retail sale directly to the public to be kept as household pets,
43 but that does not engage in the breeding of any dogs;

44 (13) "Turn and stretch freely", the ability, without touching the side of an
45 enclosure, to stand on hind legs or on all fours and turn in a complete circle without any
46 impediment, including a tether.

273.380. 1. Notwithstanding any other applicable provision of law, no person shall
2 keep a dog for purposes of breeding or raising such dog for sale as a pet, or for purposes
3 of producing offspring from such dog for sale as a pet, unless the dog is provided:

4 (1) Adequate housing;

5 (2) Sufficient room for each dog to turn and stretch freely, lie down, and fully
6 extend his or her limbs simultaneously with other dogs in the enclosure;

7 (3) Adequate food and water;

8 (4) Regular exercise;

9 (5) Adequate veterinary care;

10 (6) Adequate rest between breeding cycles; and

11 (7) Adequate shelter from the elements.

12 2. Notwithstanding any other applicable provision of law, no person shall own,
13 possess, control, or otherwise have charge or custody of more than fifty intact dogs over
14 the age of four months at any time used for purposes of breeding or raising such dog for
15 sale as a pet, or for the purposes of producing offspring from such dog for sale as a pet.

16 3. Sections 273.375 and 273.380 shall not apply:

17 (1) During lawful examination, testing, operation, or other individual treatment for
18 veterinary purposes;

19 (2) During transportation;

20 (3) To retail pet stores; or

21 (4) To humane organizations or shelters.

22 4. Any person who violates the provisions of this section is guilty of a misdemeanor,
23 and upon a finding of guilty, or plea of guilty or nolo contendere, shall be punished by a
24 fine not to exceed one thousand dollars or by imprisonment for a period not to exceed one
25 hundred eighty days, or both.

26 5. The provisions of this section are in addition to, and not in lieu of, any other state
27 and federal laws protecting animal welfare. Sections 273.375 and 273.380 shall not be
28 construed to limit any state law or rules protecting the welfare of animals, nor shall any
29 provision of sections 273.375 and 273.380 prevent a local governing body from adopting
30 and enforcing its own animal welfare laws and rules in addition to sections 273.375 and
31 273.380.

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