

HOUSE _____ AMENDMENT NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 1444, Page 1, Section 578.018, Line 10, by
2 inserting immediately following the word "hearing" the words "unless necessary to save life or relieve
3 suffering"; and

4
5 Further amend said bill, page, and section, Lines 12-13, by deleting the words "agreed upon by the law
6 enforcement agency, a veterinarian, and the animal owner" and inserting in lieu thereof the words
7 "approved by the court"; and

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9 Further amend said bill, Page 2, Section 578.018, Lines 19-22, by deleting all of said lines and inserting in
10 lieu thereof the following:

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12 "2. (1) The owner of any animal that has been impounded under this section shall not be
13 responsible for the animal's care and keeping prior to a disposition hearing if the court determines that the
14 animal was taken unlawfully."; and

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16 Further amend said bill, page, and section, Line 25, by inserting immediately following the word
17 "hearing" the words "and until final judgment, settlement, or dismissal of the case"; and

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19 Further amend said bill, page, and section, Line 26, by inserting immediately following the word
20 "security" the words "within 72 hours of the disposition hearing"; and

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22 Further amend said bill, page, and section, Line 27, by deleting the words "after completion of such
23 hearing"; and

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25 Further amend said bill, page, and section, Line 49, by inserting immediately after the word "owner" the
26 words "posted a sufficient bond and"; and

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28 Further amend said bill, page, section and line, by inserting immediately following the word "conviction,"
29 the words "unless there is a settlement agreement, consent judgment, or a suspended imposition of
30 sentence,"; and

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32 Further amend said bill, page, and section, Line 53, by inserting immediately following the word

1 “conviction” the words “unless there is a settlement agreement, consent judgment, or a suspended
2 imposition of sentence”; and

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4 Further amend said bill, Page 3, Section 578.018, Line 56, by inserting immediately before the word
5 “euthanizes” the word “intentionally”; and

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7 Further amend said bill, Page 3, Section 578.018, Line 57, by inserting immediately before the word
8 “sterilizes” the word “intentionally”; and

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10 Further amend said bill, page, and section, Line 61, by inserting after all of said section and line the
11 following:

12
13 “578.030. 1. The provisions of section 43.200 notwithstanding, any member of the state highway
14 patrol or other law enforcement officer may apply for and serve a search warrant, and shall have the
15 power of search and seizure in order to enforce the provisions of sections 578.025 to 578.050.

16 2. Any member of the state highway patrol or other law enforcement officer making an arrest
17 under section 578.025 shall lawfully take possession of all dogs or other animals in accordance with the
18 provisions of 578.018 and all paraphernalia, implements, or other property or things used or employed, or
19 about to be employed, in the violation of any of the provisions of section 578.025. Such officer, after
20 taking possession of such dogs, animals, paraphernalia, implements or other property or things, shall file
21 with the court before whom the complaint is made against any person so arrested an affidavit stating
22 therein the name of the person charged in such complaint, a description of the property so taken and the
23 time and place of the taking thereof together with the name of the person from whom the same was taken
24 and the name of the person who claims to own such property, if known, and that the affiant has reason to
25 believe and does believe, stating the ground of such belief, that the property so taken was used or
26 employed, or was about to be used or employed, in such violation of section 578.025. He shall thereupon
27 deliver the property so taken to the court, which shall, by order in writing, place the same in the custody of
28 an officer or other proper person named and designated in such order, to be kept by him until the
29 conviction or final discharge of such person complained against, and shall send a copy of such order
30 without delay to the prosecuting attorney of the county. The officer or person so named and designated in
31 such order shall immediately thereupon assume the custody of such property and shall retain the same,
32 subject to the order of the court before which such person so complained against may be required to
33 appear for trial. If the property includes animals or dogs, the placement of the animals or dogs shall be in
34 handled accordance with the provision of 578.018. Upon the conviction of the person so charged, all
35 property so seized shall be adjudged by the court to be forfeited and shall thereupon be destroyed or
36 otherwise disposed of as the court may order. In the event of the acquittal or final discharge without
37 conviction of the person so charged, such court shall, on demand, direct the delivery of such property so
38 held in custody to the owner thereof.” ; and

39
40 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.