

HB 1320 -- ANIMAL ABUSE

SPONSOR: Sommer

This bill changes the laws regarding animal abuse. In its main provisions, the bill:

(1) Specifies that, upon the first conviction of animal abuse, the court may place the convicted person on a term of probation and may, as a condition of probation, order the individual to undergo psychological or psychiatric evaluation and treatment at the expense of the convicted individual, unless the conviction involved torture or mutilation or is a second or subsequent conviction and the court places the convicted person on probation, in which case the court must order the evaluation as a condition of probation. The court may develop a sliding fee schedule based upon the defendant's ability to pay (Section 578.012, RSMo);

(2) Specifies that, if a child under 18 years of age is found to be a delinquent by a juvenile court based on animal abuse for a first violation, the court may order the child to undergo psychological or psychiatric evaluation and treatment at the expense of the juvenile. Upon a second or subsequent conviction, the court must order the evaluation. If the evaluation determines the child needs counseling, the court must require the counseling take place and establish its frequency and duration. The court may order the parent, guardian, or other person having care to pay for the evaluation, counseling, or both. The court may develop a sliding fee schedule based on the person's ability to pay (Section 578.015);

(3) Specifies that anyone who in good faith reports suspected animal abuse to a law enforcement agency or officer is immune from civil liability resulting from the report. A person who intentionally files a false report under this section is guilty of a class C misdemeanor and will be civilly liable for any actual damages resulting from the false report. A second or subsequent violation is a class B misdemeanor (Section 578.017); and

(4) Allows the court to order that an animal be returned to or remain in the home of a child who has been found guilty of animal abuse if the court determines the animal is not at risk for future abuse or neglect (Section 578.021).

This bill is similar to HB 111 (2019).