

HB 630 -- ANIMAL CONFISCATION

SPONSOR: Knight

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Agriculture Policy by a vote of 15 to 4. Vote to "Do Pass" failed by the Standing Committee on Rules- Regulatory Oversight by a vote of 3 to 5. Voted "To Reconsider" by the Standing Committee on Rules- Regulatory Oversight by a vote of 7 to 0 with 2 present.

Voted "Do Pass" by the Standing Committee on Rules- Regulatory Oversight by a vote of 7 to 2.

This bill changes the laws regarding the confiscation of animals. In its main provisions, the bill:

(1) Specifies that a warrant issued under the bill must be served in the presence of a law enforcement official;

(2) Requires a person acting under the authority of a warrant to appear at a disposition hearing before the court through which the warrant was issued within 10 days of the confiscation, instead of being given a disposition hearing within 30 days of the filing of the request, for the purpose of granting immediate disposition of the animals. An animal cannot be sterilized before the completion of the disposition hearing unless it is necessary to save life or relieve suffering;

(3) Allows a third party approved by the court to care for confiscated animals;

(4) Specifies that all animals confiscated must receive proper care as determined by state law and regulations. Any facility or organization must be liable to the owner for damages for any negligent act or abuse of the animal which occurs while the animal is in its care, custody, and control;

(5) Specifies that any person or entity that intentionally euthanizes, other than as permissible under the provisions of the bill, or intentionally sterilizes an animal prior to a disposition hearing or during any period for which a reasonable bond was secured for the animal's care will be guilty of a class B misdemeanor and is liable to the owner for damages including the actual value of the animal. Each individual animal for which a violation occurs is a separate offense. Any second or subsequent violation is a class A misdemeanor, and any entity licensed under state law must be subject to licensure sanction by its governing body; and

(6) Includes dogs confiscated by any member of the State Highway Patrol or other law enforcement officer that were involved in dog fighting to those animals covered under these provisions.

This bill is similar to HB 2204 (2022).

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 the bill requires a speedy disposition hearing to determine if an owner is liable for animal abuse or neglect and will save money. The cost of care for confiscated animals compounds quickly. Often animal owners forfeit their rights to the animals because they cannot pay the bond or the costs associated with the legal challenge.

Testifying in person for the bill were Representative Knight; Missouri Federation of Animal Owners; Missouri Farm Bureau; Missouri Pet Breeders Association; and Missouri Cattlemen's Association.

OPPONENTS: Those who oppose the bill say that there is a current appeal process which meets all the standards of due process of law. Both sides of a case need time to prepare for a trial and 10 days is not enough time to gather all necessary evidence.

Testifying in person against the bill were American Society for the Prevention of Cruelty to Animals; and the Missouri Alliance for Animal Legislation.

OTHERS: Others testifying on the bill discussed a recent case in Buchanan County involving the confiscation of dogs. The owner was unable to pay for the care of the animals.

Testifying in person on the bill was Protect The Harvest.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.