

ANIMAL PROTECTION LAWS OF MISSOURI

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This chapter contains Missouri's general animal protection and related statutes with an effective date on or before September 1, 2017. It begins with a detailed overview of the provisions contained in these laws, followed by the full text of the statutes themselves. The various provisions are organized into categories. Within the first thirteen of these categories, the relevant part of each statute is italicized. Category 14 provides a non-italicized version of each of the previously referenced statutes, in numerical order. The penalties and related provisions for categories 12 and 13 are generally located within each of those respective sections.

Missouri may employ similar provisions within other non-animal-specific criminal and civil statutes; may have other more specific statutes in addition to those included; and may have a variety of animal-related regulations in effect. Because the law is continually evolving, always review an official source for the most current language of any statute.

MISSOURI

<p>1. <u>GENERAL PROHIBITIONS</u> *</p>	<p>(1) Animal neglect and abandonment MO. ANN. STAT. § 578.009 MO. ANN. STAT. § 578.014</p> <p>(2) Animal abuse MO. ANN. STAT. § 578.012</p>
<p><i>Animals Covered in Definition</i></p>	<p>“[E]very living vertebrate except a human being” MO. ANN. STAT. § 578.005(3)</p>
<p><i>Classification of Crimes</i></p>	<p>(1) [1st offense]: Class C misdemeanor</p> <p>[Subsequent offenses]: Class B misdemeanor</p> <p>-----</p> <p>(2) [1st offense]: Class A misdemeanor</p> <p>[2nd offense, or for 1st offense if crime involved torture and mutilation while animal was alive]: Class E felony</p>

MISSOURI *continued*

<p>2. <u>MAXIMUM PENALTIES</u> **</p>	<p>(1) [1st offense]: 15 days imprisonment MO. ANN. STAT. § 558.011(1)(7) <i>and/or</i> \$750 fine MO. ANN. STAT. § 558.002(1)(4) MO. ANN. STAT. § 578.009(3) (waivable if remedies for neglect have been made)</p> <p>[Subsequent offenses]: 6 months imprisonment MO. ANN. STAT. § 558.011(1)(6) <i>and/or</i> \$1,000 fine MO. ANN. STAT. § 558.002(1)(3)</p> <p>-----</p> <p>(2) [1st offense]: 1 year imprisonment MO. ANN. STAT. § 558.011(1)(5) <i>and/or</i> \$2,000 fine MO. ANN. STAT. § 558.002(1)(2)</p> <p>[2nd offense, or for 1st offense if crime involved torture and mutilation while animal was alive]: 4 years imprisonment MO. ANN. STAT. § 558.011(1)(4) <i>and/or</i> \$10,000 fine MO. ANN. STAT. § 558.002(1)(1)</p>
<p>3. <u>EXEMPTIONS</u> ***</p>	<p>9 MO. ANN. STAT. § 273.033</p> <p>1, 2, 3, 4, 6, 7, 8, 9 MO. ANN. STAT. § 578.007</p>

MISSOURI *continued*

4. <u>COUNSELING / EVALUATIONS</u> ^H	Court may order psychological evaluation and counseling for unlawful sex with animals. MO. ANN. STAT. § 566.111(3)(3)
5. <u>PROTECTIVE ORDERS</u> ^H	-----
6. <u>RESTITUTION / REIMBURSEMENT OF COSTS / BONDING & LIENS</u> ^H	<p>Humane societies are entitled to a lien on animal for reasonable costs of care. MO. ANN. STAT. § 430.165(2)</p> <p>Upon conviction, court may order defendant to pay all reasonable costs of care. MO. ANN. STAT. § 578.009(4)</p> <p>Owner liable for reasonable costs of care for impounded animal; any person incurring costs of care for impounded animal shall have a lien on animal. MO. ANN. STAT. § 578.016(2)</p> <p>The court may order a bond or other security to cover the costs of care for impounded animals. MO. ANN. STAT. § 578.018(2)</p>
7. <u>SEIZURE / ON-SITE SUPERVISION</u>	<p>Any authorized public health, law enforcement, or animal control officer can impound animals found outside, if there is evidence of abuse or neglect. MO. ANN. STAT. § 578.016(1)</p> <p>Authorized public health and law enforcement officials may seek search warrant for entry on to private property to inspect, care for, or impound neglected or abuse animals. MO. ANN. STAT. § 578.018(1)</p>

MISSOURI *continued*

<p>7. SEIZURE / ON-SITE SUPERVISION <i>continued</i></p>	<p>Any member of the state highway patrol or other law enforcement officers may serve a search warrant and have the power to search and seize in cases involving animal fighting or for violations of the prohibition against dogs pursuing animals propelled by devices. MO. ANN. STAT. § 578.030</p>
<p>8. <u>FORFEITURE / POSSESSION</u> ^H</p>	<p>If a cost-of-care bond is not posted, or not renewed, an impounded animal may be humanely disposed, unless a court order prohibits such disposition. MO. ANN. STAT. § 578.018(2)</p> <p>Upon conviction, the court may order animal forfeited if court believes animal may be subject to future abuse or neglect. MO. ANN. STAT. § 578.021</p>
<p>9. <u>CROSS ENFORCEMENT / REPORTING</u></p>	<p>-----</p>
<p>10. <u>VETERINARIAN REPORTING / IMMUNITY</u></p>	<p>Veterinarians are responsible for reporting animal abuse and neglect cases that cannot be resolved through education. 20 CSR 2270-6.011(11)</p>
<p>11. <u>LAW ENFORCEMENT POLICIES</u></p>	<p>-----</p>
<p>12. <u>SEXUAL ASSAULT</u></p>	<p>Engaging in sexual conduct with an animal is a Class A misdemeanor on the first offense, and a Class E felony on subsequent offenses. MO. ANN. STAT. § 566.111</p>

MISSOURI *continued*

13. <u>FIGHTING</u>	<p>Various dogfighting activities are Class E felonies MO. ANN. STAT. § 578.025</p> <p>Being a spectator at a dog fight is a Class A misdemeanor. MO. ANN. STAT. § 578.026</p> <p>Non-dog animal fighting activities are Class A misdemeanors. MO. ANN. STAT. § 578.050</p> <p>Fighting terms defined MO. ANN. STAT. § 578.170</p> <p>Various animal fighting activities are Class E felonies. MO. ANN. STAT. § 578.173</p> <p>Bear wrestling is a Class A misdemeanor. MO. ANN. STAT. § 578.176</p> <p>Injunctions, seizures and disposition of animals involved in fighting MO. ANN. STAT. §§ 578.179, 578.185</p> <p>Exemptions MO. ANN. STAT. § 578.182</p> <p>Severability MO. ANN. STAT. § 578.188</p>
<i>Other Felony Provisions Affecting Animals</i> ¹	<p>Assault on police animal that results in the death of such animal or disables such animal to the extent it is unable to be utilized as a police animal is a class E felony. MO. REV. STAT. § 575.353</p>

MISSOURI *continued*

NOTES	<p>Injuring or killing a service dog is a Class A misdemeanor. MO. REV. STAT. § 209.202</p> <p>The “Canine Cruelty Prevention Act” provides regulation and oversight of dog breeding operations. MO. ANN. STAT. §§ 273.327, 273.345, 273.347, <i>et. al.</i></p> <p>Assault on a police animal is a class C misdemeanor. MO. REV. STAT. § 575.353</p>
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* States may have other more specific statutes in addition to the general animal protection statutes referenced in this table.

** Despite statutory maximums, states often employ sentencing guidelines that may significantly alter the allowable sentence.

*** Exemptions: 1-veterinary practice, 2-research animals, 3-wildlife, 4-traditional farm animal husbandry practices, 5-slaughter, 6-pest control, 7-rodeo, 8-zoos/circuses, 9-other.

H This table generally references only those provisions that are within each state’s animal protection statutes. States may employ similar provisions within other non-animal-specific criminal and civil statutes, and may also have a variety of animal-related regulations in effect.

I This list is not exhaustive; states may authorize felony penalties for other crimes involving animals not included in this table.

1. GENERAL PROHIBITIONS

MO. ANN. STAT. § 578.005 (2017). Definitions.

As used in sections 578.005 to 578.023, the following terms shall mean:

- (1) “Adequate care”, normal and prudent attention to the needs of an animal, including wholesome food, clean water, shelter and health care as necessary to maintain good health in a specific species of animal;*
- (2) “Adequate control”, to reasonably restrain or govern an animal so that the animal does not injure itself, any person, any other animal, or property;*
- (3) “Animal”, every living vertebrate except a human being;*
- (4) “Animal shelter”, a facility which is used to house or contain animals and which is owned, operated, or maintained by a duly incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other not for profit organization devoted to the welfare, protection, and humane treatment of animals;*
- (5) “Farm animal”, an animal raised on a farm or ranch and used or intended for use in farm or ranch production, or as food or fiber;*
- (6) “Farm animal professional”, any individual employed at a location where farm animals are harbored;*
- (7) “Harbor”, to feed or shelter an animal at the same location for three or more consecutive days;*
- (8) “Humane killing”, the destruction of an animal accomplished by a method approved by the American Veterinary Medical Association’s Panel on Euthanasia (JAVMA 173: 59-72, 1978); or more recent editions, but animals killed during the feeding of pet carnivores shall be considered humanely killed;*
- (9) “Owner”, in addition to its ordinary meaning, any person who keeps or harbors an animal or professes to be owning, keeping, or harboring an animal;*
- (10) “Person”, any individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity;*
- (11) “Pests”, birds, rabbits, or rodents which damage property or have an adverse effect on the public health, but shall not include any endangered species listed by the United States Department of the Interior nor any endangered species listed in the Wildlife Code of Missouri.*

MO. ANN. STAT. § 578.009 (2017). Animal neglect—penalties.

1. *A person commits the offense of animal neglect if he or she:*

(1) Has custody or ownership of an animal and fails to provide adequate care; or

(2) Knowingly abandons an animal in any place without making provisions for its adequate care.

2. The offense of animal neglect is a class C misdemeanor unless the person has previously been found guilty of an offense under this section, or an offense in another jurisdiction which would constitute an offense under this section, in which case it is a class B misdemeanor.

3. All fines and penalties for a first finding of guilt under this section may be waived by the court if the person found guilty of animal neglect shows that adequate, permanent remedies for the neglect have been made. Reasonable costs incurred for the care and maintenance of neglected animals may not be waived. This section shall not apply to the provisions of section 578.007 or chapter 272.

4. In addition to any other penalty imposed by this section, the court may order a person found guilty of animal neglect to pay all reasonable costs and expenses necessary for:

(1) The care and maintenance of neglected animals within the person's custody or ownership;

(2) The disposal of any dead or diseased animals within the person's custody or ownership;

(3) The reduction of resulting organic debris affecting the immediate area of the neglect; and

(4) The avoidance or minimization of any public health risks created by the neglect of the animals.

MO. ANN. STAT. § 578.012 (2017). Animal abuse—penalties.

1. *A person commits the offense of animal abuse if he or she:*

(1) Intentionally or purposely kills an animal in any manner not allowed by or expressly exempted from the provisions of sections 578.005 to 578.023 and 273.030;

(2) Purposely or intentionally causes injury or suffering to an animal; or

(3) Having ownership or custody of an animal knowingly fails to provide adequate care which results in substantial harm to the animal.

2. Animal abuse is a class A misdemeanor, unless the defendant has previously been found guilty of animal abuse or the suffering involved in subdivision (2) of subsection 1 of this section is the result of torture or mutilation consciously inflicted while the animal was alive, in which case it is a class E felony.

MO. ANN. STAT. § 578.014 (2017). Responsibility of parent or guardian of minor owning.

The parent or guardian of a minor child is responsible for the adequate care of any animal owned by, in the control of, or harbored by that minor child.

2. PENALTIES

EDITOR'S NOTE: A class A misdemeanor is punishable by imprisonment not to exceed one year. MO. REV. STAT. § 558.011(1)(5)(2017). A class E felony is punishable by imprisonment not to exceed 4 years. MO. REV. STAT. § 558.011(1)(4)(2017). Missouri statutes also provide for a fine of no more than \$2,000 for a class A misdemeanor, MO. REV. STAT. § 558.002(2017), and no more than \$10,000 for a class E felony. MO. REV. STAT. § 558.002(2017). These fines may be imposed in place of, or in addition to, the prison sentences. MO. REV. STAT. § 557.011(2)(2017).

MO. ANN. STAT. § 558.002 (2017). Fines for felonies

1. Except as otherwise provided for an offense outside this code, a person who has been convicted of an offense may be sentenced to pay a fine which does not exceed:

(1) For a class C, D, or E felony, ten thousand dollars;

(2) For a class A misdemeanor, two thousand dollars;

(3) For a class B misdemeanor, one thousand dollars;

(4) For a class C misdemeanor, seven hundred fifty dollars;

(5) For a class D misdemeanor, five hundred dollars;

(6) For an infraction, four hundred dollars; or

(7) If the person has gained money or property through the commission of the offense, to pay an amount, fixed by the court, not exceeding double the amount of the person's gain from the commission of the offense.

2. A sentence to pay a fine, when imposed on a corporation for an offense defined in this code or for any offense defined outside this code for which no specific corporate fine is specified, shall be a sentence to pay an amount, fixed by the court, which does not exceed:

(1) For a felony, twenty thousand dollars;

(2) For a misdemeanor, ten thousand dollars;

(3) For an infraction, one thousand dollars; or

(4) If the corporation has gained money or property through the commission of the offense, to pay an amount, fixed by the court, not exceeding double the amount of the corporation's gain from the commission of the offense.

3. As used in this section the term “**gain**” means the amount of money or the value of property derived from the commission of the offense. The amount of money or value of property returned to the victim of the offense or seized by or surrendered to lawful authority prior to the time sentence is imposed shall be deducted from the fine. When the court imposes a fine based on gain the court shall make a finding as to the amount of the offender's gain from the crime. If the record does not contain sufficient evidence to support such a finding, the court may conduct a hearing upon the issue.

MO. ANN. STAT. § 558.011 (2017). Sentence of imprisonment, terms—conditional release.

1. *The authorized terms of imprisonment, including both prison and conditional release terms, are:*

- (1) For a class A felony, a term of years not less than ten years and not to exceed thirty years, or life imprisonment;
- (2) For a class B felony, a term of years not less than five years and not to exceed fifteen years;
- (3) For a class C felony, a term of years not to exceed seven years;
- (4) *For a class D felony, a term of years not to exceed four years;*
- (5) *For a class A misdemeanor, a term not to exceed one year;*
- (6) *For a class B misdemeanor, a term not to exceed six months;*
- (7) *For a class C misdemeanor, a term not to exceed fifteen days.*

2. In cases of class C and D felonies, the court shall have discretion to imprison for a special term not to exceed one year in the county jail or other authorized penal institution, and the place of confinement shall be fixed by the court. If the court imposes a sentence of imprisonment for a term longer than one year upon a person convicted of a class C or D felony, it shall commit the person to the custody of the department of corrections for a term of years not less than two years and not exceeding the maximum authorized terms provided in subdivisions (3) and (4) of subsection 1 of this section.

3.

- (1) When a regular sentence of imprisonment for a felony is imposed, the court shall commit the person to the custody of the department of corrections for the term imposed under section 557.036, RSMo, or until released under procedures established elsewhere by law.

(2) A sentence of imprisonment for a misdemeanor shall be for a definite term and the court shall commit the person to the county jail or other authorized penal institution for the term of his or her sentence or until released under procedure established elsewhere by law.

4.

(1) A sentence of imprisonment for a term of years for felonies other than dangerous felonies as defined in section 556.061, RSMo, and other than sentences of imprisonment which involve the individual's fourth or subsequent remand to the department of corrections shall consist of a prison term and a conditional release term. The conditional release term of any term imposed under section 557.036, RSMo, shall be:

(a) One-third for terms of nine years or less;

(b) Three years for terms between nine and fifteen years;

(c) Five years for terms more than fifteen years; and the prison term shall be the remainder of such term. The prison term may be extended by the board of probation and parole pursuant to subsection 5 of this section.

(2) "Conditional release" means the conditional discharge of an offender by the board of probation and parole, subject to conditions of release that the board deems reasonable to assist the offender to lead a law-abiding life, and subject to the supervision under the state board of probation and parole. The conditions of release shall include avoidance by the offender of any other crime, federal or state, and other conditions that the board in its discretion deems reasonably necessary to assist the releasee in avoiding further violation of the law.

5. The date of conditional release from the prison term may be extended up to a maximum of the entire sentence of imprisonment by the board of probation and parole. The director of any division of the department of corrections except the board of probation and parole may file with the board of probation and parole a petition to extend the conditional release date when an offender fails to follow the rules and regulations of the division or commits an act in violation of such rules. Within ten working days of receipt of the petition to extend the conditional release date, the board of probation and parole shall convene a hearing on the petition. The offender shall be present and may call witnesses in his or her behalf and cross-examine witnesses appearing against the offender. The hearing shall be conducted as provided in section 217.670, RSMo. If the violation occurs in close proximity to the conditional release date, the conditional release may be held for a maximum of fifteen working days to permit necessary time for the division director to file a petition for an extension with the board and for the board to conduct a hearing, provided some affirmative manifestation of an intent to extend the conditional release has occurred prior to the conditional release date. If at the end of a fifteen-working-day period a board decision has not been reached, the offender shall be released conditionally. The decision of the board shall be final.

MO. ANN. STAT. § 578.009 (2017). Animal neglect—penalties.

1. A person commits the offense of animal neglect if he or she:

- (1) Has custody or ownership of an animal and fails to provide adequate care; or
- (2) Knowingly abandons an animal in any place without making provisions for its adequate care.

2. The offense of animal neglect is a class C misdemeanor unless the person has previously been found guilty of an offense under this section, or an offense in another jurisdiction which would constitute an offense under this section, in which case it is a class B misdemeanor.

3. All fines and penalties for a first finding of guilt under this section may be waived by the court if the person found guilty of animal neglect shows that adequate, permanent remedies for the neglect have been made. Reasonable costs incurred for the care and maintenance of neglected animals may not be waived. This section shall not apply to the provisions of section 578.007 or chapter 272.

4. In addition to any other penalty imposed by this section, the court may order a person found guilty of animal neglect to pay all reasonable costs and expenses necessary for:

- (1) The care and maintenance of neglected animals within the person's custody or ownership;
- (2) The disposal of any dead or diseased animals within the person's custody or ownership;
- (3) The reduction of resulting organic debris affecting the immediate area of the neglect; and
- (4) The avoidance or minimization of any public health risks created by the neglect of the animals.

3. EXEMPTIONS

MO. ANN. STAT. § 273.033 (2017). Killing or injuring a dog—reasonable apprehension of imminent harmful contact.

1. In any action for damages or a criminal prosecution against any person for killing or injuring a dog, a showing by a preponderance of the evidence that such person was in reasonable apprehension of imminent harmful contact by the dog or was acting to prevent such imminent harmful contact against another person by the dog shall constitute an absolute defense to criminal prosecution or civil liability for the killing or injuring of such animal.

2. If a person has, on at least two occasions, complained to the county sheriff or to the appropriate animal control authority in his or her jurisdiction that a dog, not on a leash, has trespassed on property that such person owns, rents, or leases or on any property that constitutes such person's residence, and when at least one of the prior two complaints was motivated by reasonable apprehension for such person's safety or the safety of another person or apprehension of substantial damage to livestock or property, then any subsequent trespass by such dog shall constitute prima facie evidence that such person was in reasonable apprehension of imminent harmful contact. The county sheriff or animal control authority to which any complaint under this section is made shall notify the owner of the alleged trespassing dog of such complaint. Failure by a county sheriff or animal control authority to notify a dog owner under this subsection shall not invalidate or be construed in any way to limit any other provision of this subsection.

3. The court shall award attorney's fees, court costs, and all reasonable expenses incurred by the defendant in defense of any criminal prosecution or in any civil action brought by a plaintiff if the court finds that the defendant has an absolute defense as provided in subsection 1 of this section.

4. This section shall not be construed to provide an absolute defense to a person who is engaged in or attempting to engage in a criminal activity at the time of the apprehension of imminent harmful contact, or to a person for any damage or injury to any person or property other than the dog itself that may result from actions taken in an attempt to injure or kill such dog.

MO. ANN. STAT. § 578.007 (2017). Acts and facilities to which sections 578.005 to 578.023 do not apply.

The provisions of section 574.130, sections 578.005 to 578.023 shall not apply to:

(1) *Care or treatment performed by a licensed veterinarian within the provisions of chapter 340, RSMo;*

(2) *Bona fide scientific experiments;*

- (3) Hunting, fishing, or trapping as allowed by chapter 252, RSMo, including all practices and privileges as allowed under the Missouri Wildlife Code;*
- (4) Facilities and publicly funded zoological parks currently in compliance with the federal “Animal Welfare Act” as amended;*
- (5) Rodeo practices currently accepted by the Professional Rodeo Cowboy’s Association;*
- (6) The killing of an animal by the owner thereof, the agent of such owner, or by a veterinarian at the request of the owner thereof;*
- (7) The lawful, humane killing of an animal by an animal control officer, the operator of an animal shelter, a veterinarian, or law enforcement or health official;*
- (8) With respect to farm animals, normal or accepted practices of animal husbandry;*
- (9) The killing of an animal by any person at any time if such animal is outside of the owned or rented property of the owner or custodian of such animal and the animal is injuring any person or farm animal but shall not include police or guard dogs while working;*
- (10) The killing of house or garden pests; or*
- (11) Field trials, training and hunting practices as accepted by the Professional Houndsmen of Missouri.*

4. COUNSELING / EVALUATIONS

MO. ANN. STAT. § 566.111 (2017). Unlawful sex with an animal, penalties.

1. A person commits the offense of sex with an animal if he or she engages in sexual conduct with an animal.

2. The offense of sex with an animal is a class A misdemeanor unless the person has previously been found guilty of an offense under this section or has previously been found guilty of an offense in another jurisdiction which would constitute an offense under this section, in which case the offense is a class E felony.

3. *In addition to any penalty imposed or as a condition of probation the court may:*

(1) Prohibit the offender from harboring animals or residing in any household where animals are present during the period of probation; or

(2) *Order all animals in the offender's possession subject to a civil forfeiture action under chapter 513; or*

(3) *Order psychological evaluation and counseling of the offender at the offender's expense.*

4. Nothing in this section shall be construed to prohibit generally accepted animal husbandry, farming and ranching practices or generally accepted veterinary medical practices.

5. For purposes of this section, the following terms mean:

(1) “Animal”, every creature, either alive or dead, other than a human being;

(2) “Sexual conduct with an animal”, any touching of an animal with the genitals or any touching of the genitals or anus of an animal for the purpose of arousing or gratifying the person's sexual desire.

5. PROTECTIVE ORDERS

6. RESTITUTION / REIMBURSEMENT OF COSTS / BONDING & LIENS

MO. ANN. STAT. § 430.165 (2017). Lien for the care of animals lawfully impounded, who entitled to.

1. Any animal lawfully impounded under the laws of this state or ordinances of any of its political subdivisions may be placed by the impounding officer in the care of any incorporated humane society or other responsible person designated by the impounding authority.

2. Any incorporated humane society or other person designated to care for an animal under the provisions of subsection 1 shall be entitled to a lien on the animal for the reasonable cost of the care of the animal, as provided in sections 430.150 and 430.160.

MO. ANN. STAT. § 578.009 (2017). Animal neglect—penalties.

1. A person commits the offense of animal neglect if he or she:

(1) Has custody or ownership of an animal and fails to provide adequate care; or

(2) Knowingly abandons an animal in any place without making provisions for its adequate care.

2. The offense of animal neglect is a class C misdemeanor unless the person has previously been found guilty of an offense under this section, or an offense in another jurisdiction which would constitute an offense under this section, in which case it is a class B misdemeanor.

3. All fines and penalties for a first finding of guilt under this section may be waived by the court if the person found guilty of animal neglect shows that adequate, permanent remedies for the neglect have been made. Reasonable costs incurred for the care and maintenance of neglected animals may not be waived. This section shall not apply to the provisions of section 578.007 or chapter 272.

4. In addition to any other penalty imposed by this section, the court may order a person found guilty of animal neglect to pay all reasonable costs and expenses necessary for:

(1) The care and maintenance of neglected animals within the person's custody or ownership;

(2) The disposal of any dead or diseased animals within the person's custody or ownership;

(3) The reduction of resulting organic debris affecting the immediate area of the neglect; and

(4) The avoidance or minimization of any public health risks created by the neglect of the animals.

MO. ANN. STAT. § 578.016 (2017). Impoundment of animal found off property of owner or custodian, disposition, procedure—liability of owner or custodian for costs—lien rights of owner or custodian.

1. Any duly authorized public health official, law enforcement official, or animal control officer may impound any animal found outside of the owned or rented property of the owner or custodian of such animal when such animal shows evidence of neglect or abuse. Any animal impounded pursuant to this section shall be:

(1) If the owner can be ascertained and the animal is not diseased or disabled beyond recovery for any useful purpose, held for recovery by the owner. The owner shall be notified within five business days of impoundment by phone or by mail of the animal's location and recovery procedures. The animal shall be held for ten business days. An animal unclaimed after ten business days may be put up for adoption or humanely killed;

(2) Placed in the care or custody of a veterinarian, the appropriate animal control authority or animal shelter. The animal shall not be disposed of, unless diseased or disabled beyond recovery for any useful purpose, until after expiration of a minimum of five business days, during which time the public shall have clear access to inspect or recover the animal through time periods ordinarily accepted as usual business hours. After five business days, the animal may be put up for adoption or humanely killed; or

(3) If diseased or disabled beyond recovery for any useful purpose as determined by a public health official, law enforcement official, veterinarian or animal control officer, humanely killed.

2. The owner or custodian of an animal impounded pursuant to this section shall be liable for reasonable costs for the care and maintenance of the animal. Any person incurring reasonable costs for the care and maintenance of such animal shall have a lien against such animal until the reasonable costs have been paid and may put up for adoption or humanely kill any animal if such costs are not paid within ten days after demand. Any moneys received for an animal adopted pursuant to this subsection in excess of costs shall be paid to the owner of such animal.

3. The owner or custodian of any animal killed pursuant to this section shall be entitled to recover the actual value of the animal up to but not to exceed six hundred dollars if the owner or custodian shows that such killing was unwarranted.

MO. ANN. STAT. § 578.018 (2017). Warrant for entry on private property to inspect—impounded animals—compensation.

1. Any duly authorized public health official or law enforcement official may seek a warrant from the appropriate court to enable him or her to enter private property in order to inspect, care for, or impound neglected or abused animals. All requests for such warrants shall be accompanied by an affidavit stating the probable cause to believe a violation of sections 578.005 to 578.023 has occurred. A person acting under the authority of a warrant shall:

- (1) Be given a disposition hearing before the court through which the warrant was issued, within thirty days of the filing of the request for the purpose of granting immediate disposition of the animals impounded;
- (2) Place impounded animals in the care or custody of a veterinarian, the appropriate animal control authority, or an animal shelter. If no appropriate veterinarian, animal control authority, or animal shelter is available, the animal shall not be impounded unless it is diseased or disabled beyond recovery for any useful purpose;
- (3) Humanely kill any animal impounded if it is determined by a licensed veterinarian that the animal is diseased or disabled beyond recovery for any useful purpose;
- (4) Not be liable for any necessary damage to property while acting under such warrant.

2. The owner or custodian or any person claiming an interest in any animal that has been impounded because of neglect or abuse may prevent disposition of the animal by posting bond or security in an amount sufficient to provide for the animal's care and keeping for at least thirty days, inclusive of the date on which the animal was taken into custody. Notwithstanding the fact that bond may be posted pursuant to this subsection, the authority having custody of the animal may humanely dispose of the animal at the end of the time for which expenses are covered by the bond or security, unless there is a court order prohibiting such disposition. Such order shall provide for a bond or other security in the amount necessary to protect the authority having custody of the animal from any cost of the care, keeping or disposal of the animal. The authority taking custody of an animal shall give notice of the provisions of this section by posting a copy of this section at the place where the animal was taken into custody or by delivering it to a person residing on the property.

3. The owner or custodian of any animal humanely killed pursuant to this section shall not be entitled to recover any damages related to nor the actual value of the animal if the animal was found by a licensed veterinarian to be diseased or disabled, or if the owner or custodian failed to post bond or security for the care, keeping and disposition of the animal after being notified of impoundment.

7. SEIZURE / ON-SITE SUPERVISION

MO. ANN. STAT. § 578.016 (2017). Impoundment of animal found off property of owner or custodian, disposition, procedure—liability of owner or custodian for costs—lien rights of owner or custodian.

1. Any duly authorized public health official, law enforcement official, or animal control officer may impound any animal found outside of the owned or rented property of the owner or custodian of such animal when such animal shows evidence of neglect or abuse. Any animal impounded pursuant to this section shall be:

(1) If the owner can be ascertained and the animal is not diseased or disabled beyond recovery for any useful purpose, held for recovery by the owner. The owner shall be notified within five business days of impoundment by phone or by mail of the animal's location and recovery procedures. The animal shall be held for ten business days. An animal unclaimed after ten business days may be put up for adoption or humanely killed;

(2) Placed in the care or custody of a veterinarian, the appropriate animal control authority or animal shelter. The animal shall not be disposed of, unless diseased or disabled beyond recovery for any useful purpose, until after expiration of a minimum of five business days, during which time the public shall have clear access to inspect or recover the animal through time periods ordinarily accepted as usual business hours. After five business days, the animal may be put up for adoption or humanely killed; or

(3) If diseased or disabled beyond recovery for any useful purpose as determined by a public health official, law enforcement official, veterinarian or animal control officer, humanely killed.

2. The owner or custodian of an animal impounded pursuant to this section shall be liable for reasonable costs for the care and maintenance of the animal. Any person incurring reasonable costs for the care and maintenance of such animal shall have a lien against such animal until the reasonable costs have been paid and may put up for adoption or humanely kill any animal if such costs are not paid within ten days after demand. Any moneys received for an animal adopted pursuant to this subsection in excess of costs shall be paid to the owner of such animal.

3. The owner or custodian of any animal killed pursuant to this section shall be entitled to recover the actual value of the animal up to but not to exceed six hundred dollars if the owner or custodian shows that such killing was unwarranted.

MO. ANN. STAT. § 578.018 (2017). Warrant for entry on private property to inspect—impounded animals—compensation.

1. *Any duly authorized public health official or law enforcement official may seek a warrant from the appropriate court to enable him or her to enter private property in order to inspect, care for, or impound neglected or abused animals. All requests for such warrants shall be accompanied by an affidavit stating the probable cause to believe a violation of sections 578.005 to 578.023 has occurred. A person acting under the authority of a warrant shall:*

(1) Be given a disposition hearing before the court through which the warrant was issued, within thirty days of the filing of the request for the purpose of granting immediate disposition of the animals impounded;

(2) Place impounded animals in the care or custody of a veterinarian, the appropriate animal control authority, or an animal shelter. If no appropriate veterinarian, animal control authority, or animal shelter is available, the animal shall not be impounded unless it is diseased or disabled beyond recovery for any useful purpose;

(3) Humanely kill any animal impounded if it is determined by a licensed veterinarian that the animal is diseased or disabled beyond recovery for any useful purpose;

(4) Not be liable for any necessary damage to property while acting under such warrant.

2. The owner or custodian or any person claiming an interest in any animal that has been impounded because of neglect or abuse may prevent disposition of the animal by posting bond or security in an amount sufficient to provide for the animal's care and keeping for at least thirty days, inclusive of the date on which the animal was taken into custody. Notwithstanding the fact that bond may be posted pursuant to this subsection, the authority having custody of the animal may humanely dispose of the animal at the end of the time for which expenses are covered by the bond or security, unless there is a court order prohibiting such disposition. Such order shall provide for a bond or other security in the amount necessary to protect the authority having custody of the animal from any cost of the care, keeping or disposal of the animal. The authority taking custody of an animal shall give notice of the provisions of this section by posting a copy of this section at the place where the animal was taken into custody or by delivering it to a person residing on the property.

3. The owner or custodian of any animal humanely killed pursuant to this section shall not be entitled to recover any damages related to nor the actual value of the animal if the animal was found by a licensed veterinarian to be diseased or disabled, or if the owner or custodian failed to post bond or security for the care, keeping and disposition of the animal after being notified of impoundment.

MO. ANN. STAT. § 578.030 (2017). State highway patrol, powers and duties to enforce animal protection.

EDITOR'S NOTE: The scope of this provision is limited to the animal fighting statutes and to the prohibition on dogs pursuing animals propelled by devices. MO. REV. STAT. §§ 578.025 - 578.050.

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

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

8. FORFEITURE / POSSESSION

MO. ANN. STAT. § 578.018 (2017). Warrant for entry on private property to inspect—impounded animals—compensation.

1. Any duly authorized public health official or law enforcement official may seek a warrant from the appropriate court to enable him or her to enter private property in order to inspect, care for, or impound neglected or abused animals. All requests for such warrants shall be accompanied by an affidavit stating the probable cause to believe a violation of sections 578.005 to 578.023 has occurred. A person acting under the authority of a warrant shall:

(1) Be given a disposition hearing before the court through which the warrant was issued, within thirty days of the filing of the request for the purpose of granting immediate disposition of the animals impounded;

(2) Place impounded animals in the care or custody of a veterinarian, the appropriate animal control authority, or an animal shelter. If no appropriate veterinarian, animal control authority, or animal shelter is available, the animal shall not be impounded unless it is diseased or disabled beyond recovery for any useful purpose;

(3) Humanely kill any animal impounded if it is determined by a licensed veterinarian that the animal is diseased or disabled beyond recovery for any useful purpose;

(4) Not be liable for any necessary damage to property while acting under such warrant.

2. *The owner or custodian or any person claiming an interest in any animal that has been impounded because of neglect or abuse may prevent disposition of the animal by posting bond or security in an amount sufficient to provide for the animal's care and keeping for at least thirty days, inclusive of the date on which the animal was taken into custody. Notwithstanding the fact that bond may be posted pursuant to this subsection, the authority having custody of the animal may humanely dispose of the animal at the end of the time for which expenses are covered by the bond or security, unless there is a court order prohibiting such disposition. Such order shall provide for a bond or other security in the amount necessary to protect the authority having custody of the animal from any cost of the care, keeping or disposal of the animal. The authority taking custody of an animal shall give notice of the provisions of this section by posting a copy of this section at the place where the animal was taken into custody or by delivering it to a person residing on the property.*

3. The owner or custodian of any animal humanely killed pursuant to this section shall not be entitled to recover any damages related to nor the actual value of the animal if the animal was found by a licensed veterinarian to be diseased or disabled, or if the owner or custodian failed to post bond or security for the care, keeping and disposition of the animal after being notified of impoundment.

MO. ANN. STAT. § 578.021 (2017). Neglected or abused animal not to be returned to owner or custodian, when.

If a person is found guilty of the offense of animal neglect or animal abuse and the court having jurisdiction is satisfied that an animal owned or controlled by such person would in the future be subject to such neglect or abuse, such animal shall not be returned to or allowed to remain with such person, but its disposition shall be determined by the court.

9. CROSS ENFORCEMENT / REPORTING

10. VETERINARIAN REPORTING / IMMUNITY

20 CSR 2270-6.011 (2017). Rules of Professional Conduct.

(11) Licensees shall not reveal confidential, proprietary or privileged facts or data or any other sensitive information contained in a patient's medical records or as otherwise obtained in a professional capacity without the prior consent of the client except as otherwise authorized or required by Chapter 340, RSMo, lawful rules as promulgated by the board, court order or any other state or federal law, or regulation. *However, this section shall not apply to cases in which the veterinarian may observe animal abuse or neglect. The board recognizes that veterinarians may observe cases of animal abuse or neglect as defined by federal or state laws, or local ordinances. When these situations cannot be resolved through education, the board considers it the responsibility of the veterinarian to report such cases to the appropriate authorities. Disclosures may be necessary to protect the health and welfare of animals and people. Veterinarians should be aware that accurate record keeping and documentation of these cases are invaluable.*

11. LAW ENFORCEMENT POLICIES

12. SEXUAL ASSAULT

MO. ANN. STAT. § 566.111 (2017). Unlawful sex with an animal, penalties.

1. A person commits the offense of sex with an animal if he or she engages in sexual conduct with an animal.

2. The offense of sex with an animal is a class A misdemeanor unless the person has previously been found guilty of an offense under this section or has previously been found guilty of an offense in another jurisdiction which would constitute an offense under this section, in which case the offense is a class E felony.

3. In addition to any penalty imposed or as a condition of probation the court may:

(1) Prohibit the offender from harboring animals or residing in any household where animals are present during the period of probation; or

(2) Order all animals in the offender's possession subject to a civil forfeiture action under chapter 513; or

(3) Order psychological evaluation and counseling of the offender at the offender's expense.

4. Nothing in this section shall be construed to prohibit generally accepted animal husbandry, farming and ranching practices or generally accepted veterinary medical practices.

5. For purposes of this section, the following terms mean:

(1) "Animal", every creature, either alive or dead, other than a human being;

(2) "Sexual conduct with an animal", any touching of an animal with the genitals or any touching of the genitals or anus of an animal for the purpose of arousing or gratifying the person's sexual desire.

13. FIGHTING

MO. ANN. STAT. § 578.025 (2017). Dogs, fighting, training to fight or injuring for amusement or gain, penalty—spectator, penalty

1. A person commits the offense of dogfighting if he or she::

(1) Owns, possesses, keeps, or trains any dog, with the intent that such dog shall be engaged in an exhibition of fighting with another dog;

(2) For amusement or gain, causes any dog to fight with another dog, or causes any dogs to injure each other; or

(3) Permits any act as described in subdivision (1) or (2) of this subsection to be done on any premises under his or her charge or control, or aids or abets any such act.

2. The offense of dogfighting is a class E felony.

MO. ANN. STAT. § 578.026 (2017). Spectating dogfighting, penalty--exceptions

1. A person commits the offense of spectating dogfighting if he or she is knowingly present, as a spectator, at any place, building, or structure where preparations are being made for an exhibition of the fighting of dogs, with the intent to be present at such preparations, or is knowingly present at such exhibition or at any other fighting or injuring as described in subdivision (2) of subsection 1 of section 578.025, with the intent to be present at such exhibition, fighting, or injuring.

2. The offense of spectating dogfighting is a class A misdemeanor.

3. Nothing in this section shall be construed to prohibit:

(1) The use of dogs in the management of livestock by the owner of such livestock, his or her employees or agents, or other persons in lawful custody of such livestock;

(2) The use of dogs in hunting; or

(3) The training of dogs or the use of equipment in the training of dogs for any purpose not prohibited by law.

MO. ANN. STAT. § 578.050 (2017). Bullbaiting and cockfighting—penalty.

1. A person commits the offense of bullbaiting or cockfighting if he or she:

(1) Keeps, uses, or in any way is connected with or interested in the management of, or receives money for the admission of any person to, any place kept or used for the purpose of fighting or baiting any bull, bear, cock, or other creature, except dogs;

(2) Encourages, aids, assists, or is present at any place kept or used for such purpose; or

(3) Permits or suffers any place belonging to him or her, or under his or her control, to be so kept or used.

2. The offense of bullbaiting or cockfighting is a class A misdemeanor..

MO. ANN. STAT. § 578.170 (2017). Definitions.

As used in sections 578.170 to 578.188, the following terms mean:

(1) “Animal,” every living vertebrate except a human being;

(2) “Baiting,” to attack, provoke, or harass an animal with one or more animals for the purpose of training an animal for, or to cause an animal to engage in, fights with other animals for the purpose of amusement, entertainment, wagering or gain;

(3) “Bear wrestling,” a contest of fighting or physical altercation between one or more persons and a bear for the purpose of amusement, entertainment, wagering or gain;

(4) “Person,” any individual, partnership, firm, joint stock company, corporation, association, other business unit, society, trust, estate or other legal entity, or any public or private institution.

MO. ANN. STAT. § 578.173 (2017). Baiting or fighting animals—penalty.

1. A person commits the offense of baiting or fighting animals if he or she:

(1) Baits or fights animals;

(2) Permits baiting or animal fighting to be done on any premises under his or her charge or control;

(3) Promotes, conducts, or stages a baiting or fight between two or more animals;

(4) Advertises a baiting or fight between two or more animals;

(5) Collects any admission fee for a baiting or fight between two or more animals;

(6) Knowingly attends the baiting or fighting of animals;

(7) Knowingly sells, offers for sale, ships, or transports any animal which has been bred or trained to bait or fight another animal;

(8) Owns or possesses any of the cockfighting implements, commonly known as gaffs and slashers, or any other sharp implement designed to be attached to the leg of a gamecock; or

(9) Manufactures, sells, barter, or exchanges any of the cockfighting implements, commonly known as gaffs and slashers, or any other sharp implement designed to be attached to the leg of a gamecock.

2. The offense of baiting or fighting animals is a class E felony

MO. ANN. STAT. § 578.176 (2017). Bear wrestling—penalty.

1. A person commits the offense of bear wrestling if he or she:

(1) Wrestles a bear;

(2) Permits bear wrestling to be done on any premises under his or her charge or control;

(3) Promotes, conducts, or stages bear wrestling;

(4) Advertises bear wrestling;

(5) Collects any admission fee for bear wrestling;

(6) Purchases, sells, or possesses a bear which he or she knows will be used for bear wrestling;

(7) Trains a bear for bear wrestling;

(8) Subjects a bear to surgical alteration for bear wrestling.

2. The offense of bear wrestling is a class A misdemeanor.

MO. ANN. STAT. § 578.179 (2017). Seizure and disposition of animals.

Whenever an indictment is returned or a complaint is filed alleging a violation of section 578.173 or 578.176 and, in the case of a complaint, a magistrate finds probable cause that a violation has occurred, the court shall order the animals seized and shall provide for appropriate and humane care or disposition of the animals pursuant to section 578.018. This provision shall not be construed as a limitation on the power to seize animals as evidence at the time of arrest.

MO. ANN. STAT. § 578.182 (2017). Exemptions.

1. The provisions of sections 578.173 and 578.176 shall not apply to:

- (1) Any person simulating a fight for the purpose of using the simulated fight as part of a motion picture production or a motion picture production for television, provided sections 578.009 and 578.012 are not violated;*
- (2) Any person selling, offering for sale, shipping, transporting or using any animal, for the sole purpose of tracking, pursuing or taking wildlife, or to participate in any hunting, fishing or any other activity regulated by the Missouri wildlife code;*
- (3) Any person using animals to herd, work or identify livestock for agricultural purposes according to recognized animal husbandry.*

2. Nothing in the provisions of sections 578.170, 578.173, and 578.176 shall be construed to:

- (1) Prohibit breeding, rearing or slaughtering poultry pursuant to the provisions of chapters 196, 262, 265, 276 and 277, RSMo;*
- (2) Prohibit breeding or rearing game fowl when the game fowl are not intended for use in violation of the provisions of sections 578.170, 578.173 or 578.176;*
- (3) Prohibit professional or amateur rodeo practices, and skill events when the practices and skill events are not intended for use in violation of the provisions of sections 578.170, 578.173 and 578.176.*

MO. ANN. STAT. § 578.185 (2017). Injunction.

A court of competent jurisdiction may enjoin a person from a continuing violation of section 578.173 or 578.176.

MO. ANN. STAT. § 578.188 (2017). Severability.

The provisions of sections 578.170, 578.173, 578.176, 578.179, 578.182, and 578.185 are hereby declared to be severable. If any of these provisions, or the application of any of these provisions to any person or circumstance, is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of these sections.

14. REFERENCED STATUTES

MO. REV. STAT. § 209.202 (2017). Crime of causing substantial injury or death of a service dog, penalty—failure to control an animal that causes substantial injury to or the death of a service dog, penalty—harassment of a service dog, penalty—damages.

1. Any person who knowingly, intentionally, or recklessly causes substantial physical injury to or the death of a service dog is guilty of a class A misdemeanor. The provisions of this subsection shall not apply to the destruction of a service dog for humane purposes.
2. Any person who knowingly or intentionally fails to exercise sufficient control over an animal such person owns, keeps, harbors, or exercises control over to prevent the animal from causing the substantial physical injury to or death of a service dog, or the subsequent inability to function as a service dog as a result of the animal's attacking, chasing, or harassing the service dog is guilty of a class A misdemeanor.
3. Any person who harasses or chases a dog known to such person to be a service dog is guilty of a class B misdemeanor.
4. Any person who owns, keeps, harbors, or exercises control over an animal and who knowingly or intentionally fails to exercise sufficient control over the animal to prevent such animal from chasing or harassing a service dog while such dog is carrying out the dog's function as a service dog, to the extent that the animal temporarily interferes with the service dog's ability to carry out the dog's function is guilty of a class B misdemeanor.
5. An owner of a service dog or a person with a disability who uses a service dog may file a cause of action to recover civil damages against any person who:
 - (1) Violates the provisions of subsection 1 or 2 of this section; or
 - (2) Steals a service dog resulting in the loss of the services of the service dog.
6. Any civil damages awarded under subsection 5 of this section shall be based on the following:
 - (1) The replacement value of an equally trained service dog, without any differentiation for the age or experience of the service dog;
 - (2) The cost and expenses incurred by the owner of a service dog or the person with a disability who used the service dog, including:
 - (a) The cost of temporary replacement services, whether provided by another service dog or by a person;
 - (b) The reasonable costs incurred in efforts to recover a stolen service dog; and

(c) Court costs and attorney's fees incurred in bringing a civil action under subsection 5 of this section.

7. An owner of a service dog or a person with a disability who uses a service dog may file a cause of action to recover civil damages against a person who:

(1) Violates the provisions of subsections 1 to 4 of this section resulting in injury from which the service dog recovers to an extent that the dog is able to function as a service dog for the person with a disability; or

(2) Steals a service dog and the service dog is recovered resulting in the service dog being able to function as a service dog for the person with a disability.

8. Any civil damages awarded under subsection 7 of this section shall be based on the following:

(1) Veterinary medical expenses;

(2) Retraining expenses;

(3) The cost of temporary replacement services, whether provided by another service dog or by a person;

(4) Reasonable costs incurred in the recovery of the service dog; and

(5) Court costs and attorney's fees incurred in bringing the civil action under subsection 7 of this section.

9. The provisions of this section shall not apply if a person with a disability, an owner, or a person having custody or supervision of a service dog commits criminal or civil trespass.

10. Nothing in this section shall be construed to preclude any other remedies available at law.

MO. ANN. STAT. § 273.033 (2017). Killing or injuring a dog—reasonable apprehension of imminent harmful contact.

1. In any action for damages or a criminal prosecution against any person for killing or injuring a dog, a showing by a preponderance of the evidence that such person was in reasonable apprehension of imminent harmful contact by the dog or was acting to prevent such imminent harmful contact against another person by the dog shall constitute an absolute defense to criminal prosecution or civil liability for the killing or injuring of such animal.

2. If a person has, on at least two occasions, complained to the county sheriff or to the appropriate animal control authority in his or her jurisdiction that a dog, not on a leash, has trespassed on property that such person owns, rents, or leases or on any property that constitutes

such person's residence, and when at least one of the prior two complaints was motivated by reasonable apprehension for such person's safety or the safety of another person or apprehension of substantial damage to livestock or property, then any subsequent trespass by such dog shall constitute prima facie evidence that such person was in reasonable apprehension of imminent harmful contact. The county sheriff or animal control authority to which any complaint under this section is made shall notify the owner of the alleged trespassing dog of such complaint. Failure by a county sheriff or animal control authority to notify a dog owner under this subsection shall not invalidate or be construed in any way to limit any other provision of this subsection.

3. The court shall award attorney's fees, court costs, and all reasonable expenses incurred by the defendant in defense of any criminal prosecution or in any civil action brought by a plaintiff if the court finds that the defendant has an absolute defense as provided in subsection 1 of this section.

4. This section shall not be construed to provide an absolute defense to a person who is engaged in or attempting to engage in a criminal activity at the time of the apprehension of imminent harmful contact, or to a person for any damage or injury to any person or property other than the dog itself that may result from actions taken in an attempt to injure or kill such dog.

MO. ANN. STAT. § 430.165 (2017). Lien for the care of animals lawfully impounded, who entitled to.

1. Any animal lawfully impounded under the laws of this state or ordinances of any of its political subdivisions may be placed by the impounding officer in the care of any incorporated humane society or other responsible person designated by the impounding authority.

2. Any incorporated humane society or other person designated to care for an animal under the provisions of subsection 1 shall be entitled to a lien on the animal for the reasonable cost of the care of the animal, as provided in sections 430.150 and 430.160.

MO. ANN. STAT. § 558.011 (2017). Sentence of imprisonment, terms—conditional release.

1. The authorized terms of imprisonment, including both prison and conditional release terms, are:

(1) For a class A felony, a term of years not less than ten years and not to exceed thirty years, or life imprisonment;

(2) For a class B felony, a term of years not less than five years and not to exceed fifteen years;

(3) For a class C felony, a term of years not to exceed seven years;

(4) For a class D felony, a term of years not to exceed four years;

(5) For a class A misdemeanor, a term not to exceed one year;

(6) For a class B misdemeanor, a term not to exceed six months;

(7) For a class C misdemeanor, a term not to exceed fifteen days.

2. In cases of class C and D felonies, the court shall have discretion to imprison for a special term not to exceed one year in the county jail or other authorized penal institution, and the place of confinement shall be fixed by the court. If the court imposes a sentence of imprisonment for a term longer than one year upon a person convicted of a class C or D felony, it shall commit the person to the custody of the department of corrections for a term of years not less than two years and not exceeding the maximum authorized terms provided in subdivisions (3) and (4) of subsection 1 of this section.

3.

(1) When a regular sentence of imprisonment for a felony is imposed, the court shall commit the person to the custody of the department of corrections for the term imposed under section 557.036, RSMo, or until released under procedures established elsewhere by law.

(2) A sentence of imprisonment for a misdemeanor shall be for a definite term and the court shall commit the person to the county jail or other authorized penal institution for the term of his or her sentence or until released under procedure established elsewhere by law.

4.

(1) A sentence of imprisonment for a term of years for felonies other than dangerous felonies as defined in section 556.061, RSMo, and other than sentences of imprisonment which involve the individual's fourth or subsequent remand to the department of corrections shall consist of a prison term and a conditional release term. The conditional release term of any term imposed under section 557.036, RSMo, shall be:

(a) One-third for terms of nine years or less;

(b) Three years for terms between nine and fifteen years;

(c) Five years for terms more than fifteen years; and the prison term shall be the remainder of such term. The prison term may be extended by the board of probation and parole pursuant to subsection 5 of this section.

(2) “Conditional release” means the conditional discharge of an offender by the board of probation and parole, subject to conditions of release that the board deems reasonable to assist the offender to lead a law-abiding life, and subject to the supervision under the state board of probation and parole. The conditions of release shall include avoidance by the offender of any other crime, federal or state, and other conditions that the board in its discretion deems reasonably necessary to assist the releasee in avoiding further violation of the law.

5. The date of conditional release from the prison term may be extended up to a maximum of the entire sentence of imprisonment by the board of probation and parole. The director of any division of the department of corrections except the board of probation and parole may file with the board of probation and parole a petition to extend the conditional release date when an offender fails to follow the rules and regulations of the division or commits an act in violation of such rules. Within ten working days of receipt of the petition to extend the conditional release date, the board of probation and parole shall convene a hearing on the petition. The offender shall be present and may call witnesses in his or her behalf and cross-examine witnesses appearing against the offender. The hearing shall be conducted as provided in section 217.670, RSMo. If the violation occurs in close proximity to the conditional release date, the conditional release may be held for a maximum of fifteen working days to permit necessary time for the division director to file a petition for an extension with the board and for the board to conduct a hearing, provided some affirmative manifestation of an intent to extend the conditional release has occurred prior to the conditional release date. If at the end of a fifteen-working-day period a board decision has not been reached, the offender shall be released conditionally. The decision of the board shall be final.

MO. ANN. STAT. § 560.011 (2017). Fines for felonies.

1. A person who has been convicted of a class C or D felony may be sentenced

(1) To pay a fine which does not exceed five thousand dollars; or

(2) If the offender has gained money or property through the commission of the crime, to pay an amount, fixed by the court, not exceeding double the amount of the offender's gain from the commission of the crime. An individual offender may be fined not more than twenty thousand dollars under this provision.

2. As used in this section the term "gain" means the amount of money or the value of property derived from the commission of the crime. The amount of money or value of property returned to the victim of the crime or seized by or surrendered to lawful authority prior to the time sentence is imposed shall be deducted from the fine. When the court imposes a fine based on gain the court shall make a finding as to the amount of the offender's gain from the crime. If the record does not contain sufficient evidence to support such a finding, the court may conduct a hearing upon the issue.

3. The provisions of this section shall not apply to corporations.

MO. ANN. STAT. § 560.016 (2017). Fines for misdemeanors and infractions.

1. Except as otherwise provided for an offense outside this code, a person who has been convicted of a misdemeanor or infraction may be sentenced to pay a fine which does not exceed:

(1) For a class A misdemeanor, one thousand dollars;

(2) For a class B misdemeanor, five hundred dollars;

(3) For a class C misdemeanor, three hundred dollars;

(4) For an infraction, two hundred dollars.

2. In lieu of a fine imposed under subsection 1, a person who has been convicted of a misdemeanor or infraction through which he derived "gain" as defined in section 560.011, may be sentenced to a fine which does not exceed double the amount of gain from the commission of the offense. An individual offender may be fined not more than twenty thousand dollars under this provision.

MO. ANN. STAT. § 566.111 (2017). Unlawful sex with an animal, penalties.

1. A person commits the offense of sex with an animal if he or she engages in sexual conduct with an animal.
2. The offense of sex with an animal is a class A misdemeanor unless the person has previously been found guilty of an offense under this section or has previously been found guilty of an offense in another jurisdiction which would constitute an offense under this section, in which case the offense is a class E felony.
3. In addition to any penalty imposed or as a condition of probation the court may:
 - (1) Prohibit the offender from harboring animals or residing in any household where animals are present during the period of probation; or
 - (2) Order all animals in the offender's possession subject to a civil forfeiture action under chapter 513; or
 - (3) Order psychological evaluation and counseling of the offender at the offender's expense.
4. Nothing in this section shall be construed to prohibit generally accepted animal husbandry, farming and ranching practices or generally accepted veterinary medical practices.
5. For purposes of this section, the following terms mean:
 - (1) "Animal", every creature, either alive or dead, other than a human being;
 - (2) "Sexual conduct with an animal", any touching of an animal with the genitals or any touching of the genitals or anus of an animal for the purpose of arousing or gratifying the person's sexual desire.

MO. REV. STAT. § 575.353 (2017). Assault on a police animal—penalty.

1. A person commits the offense of assault on a police animal if he or she knowingly attempts to kill or disable or knowingly causes or attempts to cause serious physical injury to a police animal when that animal is involved in law enforcement investigation, apprehension, tracking, or search, or the animal is in the custody of or under the control of a law enforcement officer, department of corrections officer, municipal police department, fire department or a rescue unit or agency.
2. The offense of assault on a police animal is a class C misdemeanor, unless the assault results in the death of such animal or disables such animal to the extent it is unable to be utilized as a police animal, in which case it is a class E felony.

MO. ANN. STAT. § 578.005 (2017). Definitions.

As used in sections 578.005 to 578.023, the following terms shall mean:

- (1) “Adequate care”, normal and prudent attention to the needs of an animal, including wholesome food, clean water, shelter and health care as necessary to maintain good health in a specific species of animal;
- (2) “Adequate control”, to reasonably restrain or govern an animal so that the animal does not injure itself, any person, any other animal, or property;
- (3) “Animal”, every living vertebrate except a human being;
- (4) “Animal shelter”, a facility which is used to house or contain animals and which is owned, operated, or maintained by a duly incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other not for profit organization devoted to the welfare, protection, and humane treatment of animals;
- (5) “Farm animal”, an animal raised on a farm or ranch and used or intended for use in farm or ranch production, or as food or fiber;
- (6) “Farm animal professional”, any individual employed at a location where farm animals are harbored;
- (7) “Harbor”, to feed or shelter an animal at the same location for three or more consecutive days;
- (8) “Humane killing”, the destruction of an animal accomplished by a method approved by the American Veterinary Medical Association’s Panel on Euthanasia (JAVMA 173: 59-72, 1978); or more recent editions, but animals killed during the feeding of pet carnivores shall be considered humanely killed;
- (9) “Owner”, in addition to its ordinary meaning, any person who keeps or harbors an animal or professes to be owning, keeping, or harboring an animal;
- (10) “Person”, any individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity;
- (11) “Pests”, birds, rabbits, or rodents which damage property or have an adverse effect on the public health, but shall not include any endangered species listed by the United States Department of the Interior nor any endangered species listed in the Wildlife Code of Missouri.

MO. ANN. STAT. § 578.007 (2017). Acts and facilities to which sections 578.005 to 578.023 do not apply.

The provisions of section 574.130, sections 578.005 to 578.023 shall not apply to:

- (1) Care or treatment performed by a licensed veterinarian within the provisions of chapter 340, RSMo;
- (2) Bona fide scientific experiments;
- (3) Hunting, fishing, or trapping as allowed by chapter 252, RSMo, including all practices and privileges as allowed under the Missouri Wildlife Code;
- (4) Facilities and publicly funded zoological parks currently in compliance with the federal “Animal Welfare Act” as amended;
- (5) Rodeo practices currently accepted by the Professional Rodeo Cowboy’s Association;
- (6) The killing of an animal by the owner thereof, the agent of such owner, or by a veterinarian at the request of the owner thereof;
- (7) The lawful, humane killing of an animal by an animal control officer, the operator of an animal shelter, a veterinarian, or law enforcement or health official;
- (8) With respect to farm animals, normal or accepted practices of animal husbandry;
- (9) The killing of an animal by any person at any time if such animal is outside of the owned or rented property of the owner or custodian of such animal and the animal is injuring any person or farm animal but shall not include police or guard dogs while working;
- (10) The killing of house or garden pests; or
- (11) Field trials, training and hunting practices as accepted by the Professional Houndsmen of Missouri.

MO. ANN. STAT. § 578.009 (2017). Animal neglect—penalties.

1. A person commits the offense of animal neglect if he or she:

- (1) Has custody or ownership of an animal and fails to provide adequate care; or
- (2) Knowingly abandons an animal in any place without making provisions for its adequate care.

2. The offense of animal neglect is a class C misdemeanor unless the person has previously been found guilty of an offense under this section, or an offense in another jurisdiction which would constitute an offense under this section, in which case it is a class B misdemeanor.

3. All fines and penalties for a first finding of guilt under this section may be waived by the court if the person found guilty of animal neglect shows that adequate, permanent remedies for the neglect have been made. Reasonable costs incurred for the care and maintenance of neglected animals may not be waived. This section shall not apply to the provisions of section 578.007 or chapter 272.

4. In addition to any other penalty imposed by this section, the court may order a person found guilty of animal neglect to pay all reasonable costs and expenses necessary for:

- (1) The care and maintenance of neglected animals within the person's custody or ownership;
- (2) The disposal of any dead or diseased animals within the person's custody or ownership;
- (3) The reduction of resulting organic debris affecting the immediate area of the neglect; and
- (4) The avoidance or minimization of any public health risks created by the neglect of the animals.

MO. ANN. STAT. § 578.012 (2017). Animal abuse—penalties.

1. A person commits the offense of animal abuse if he or she:

- (1) Intentionally or purposely kills an animal in any manner not allowed by or expressly exempted from the provisions of sections 578.005 to 578.023 and 273.030;
- (2) Purposely or intentionally causes injury or suffering to an animal; or
- (3) Having ownership or custody of an animal knowingly fails to provide adequate care which results in substantial harm to the animal.

2. Animal abuse is a class A misdemeanor, unless the defendant has previously been found guilty of animal abuse or the suffering involved in subdivision (2) of subsection 1 of this section is the result of torture or mutilation consciously inflicted while the animal was alive, in which case it is a class E felony of this section is the result of torture or mutilation, or both, consciously inflicted while the animal was alive, in which case it is a class D felony.

MO. ANN. STAT. § 578.014 (2017). Responsibility of parent or guardian of minor owning.

The parent or guardian of a minor child is responsible for the adequate care of any animal owned by, in the control of, or harbored by that minor child.

MO. ANN. STAT. § 578.016 (2017). Impoundment of animal found off property of owner or custodian, disposition, procedure—liability of owner or custodian for costs—lien rights of owner or custodian.

1. Any duly authorized public health official, law enforcement official, or animal control officer may impound any animal found outside of the owned or rented property of the owner or custodian of such animal when such animal shows evidence of neglect or abuse. Any animal impounded pursuant to this section shall be:

(1) If the owner can be ascertained and the animal is not diseased or disabled beyond recovery for any useful purpose, held for recovery by the owner. The owner shall be notified within five business days of impoundment by phone or by mail of the animal's location and recovery procedures. The animal shall be held for ten business days. An animal unclaimed after ten business days may be put up for adoption or humanely killed;

(2) Placed in the care or custody of a veterinarian, the appropriate animal control authority or animal shelter. The animal shall not be disposed of, unless diseased or disabled beyond recovery for any useful purpose, until after expiration of a minimum of five business days, during which time the public shall have clear access to inspect or recover the animal through time periods ordinarily accepted as usual business hours. After five business days, the animal may be put up for adoption or humanely killed; or

(3) If diseased or disabled beyond recovery for any useful purpose as determined by a public health official, law enforcement official, veterinarian or animal control officer, humanely killed.

2. The owner or custodian of an animal impounded pursuant to this section shall be liable for reasonable costs for the care and maintenance of the animal. Any person incurring reasonable costs for the care and maintenance of such animal shall have a lien against such animal until the reasonable costs have been paid and may put up for adoption or humanely kill any animal if such costs are not paid within ten days after demand. Any moneys received for an animal adopted pursuant to this subsection in excess of costs shall be paid to the owner of such animal.

3. The owner or custodian of any animal killed pursuant to this section shall be entitled to recover the actual value of the animal up to but not to exceed six hundred dollars if the owner or custodian shows that such killing was unwarranted.

MO. ANN. STAT. § 578.018 (2017). Warrant for entry on private property to inspect—impounded animals—compensation.

1. Any duly authorized public health official or law enforcement official may seek a warrant from the appropriate court to enable him or her to enter private property in order to inspect, care for, or impound neglected or abused animals. All requests for such warrants shall be accompanied by an affidavit stating the probable cause to believe a violation of sections 578.005 to 578.023 has occurred. A person acting under the authority of a warrant shall:

- (1) Be given a disposition hearing before the court through which the warrant was issued, within thirty days of the filing of the request for the purpose of granting immediate disposition of the animals impounded;
- (2) Place impounded animals in the care or custody of a veterinarian, the appropriate animal control authority, or an animal shelter. If no appropriate veterinarian, animal control authority, or animal shelter is available, the animal shall not be impounded unless it is diseased or disabled beyond recovery for any useful purpose;
- (3) Humanely kill any animal impounded if it is determined by a licensed veterinarian that the animal is diseased or disabled beyond recovery for any useful purpose;
- (4) Not be liable for any necessary damage to property while acting under such warrant.

2. The owner or custodian or any person claiming an interest in any animal that has been impounded because of neglect or abuse may prevent disposition of the animal by posting bond or security in an amount sufficient to provide for the animal's care and keeping for at least thirty days, inclusive of the date on which the animal was taken into custody. Notwithstanding the fact that bond may be posted pursuant to this subsection, the authority having custody of the animal may humanely dispose of the animal at the end of the time for which expenses are covered by the bond or security, unless there is a court order prohibiting such disposition. Such order shall provide for a bond or other security in the amount necessary to protect the authority having custody of the animal from any cost of the care, keeping or disposal of the animal. The authority taking custody of an animal shall give notice of the provisions of this section by posting a copy of this section at the place where the animal was taken into custody or by delivering it to a person residing on the property.

3. The owner or custodian of any animal humanely killed pursuant to this section shall not be entitled to recover any damages related to nor the actual value of the animal if the animal was found by a licensed veterinarian to be diseased or disabled, or if the owner or custodian failed to post bond or security for the care, keeping and disposition of the animal after being notified of impoundment.

MO. ANN. STAT. § 578.021 (2017). Neglected or abused animal not to be returned to owner or custodian, when.

If a person is found guilty of the offense of animal neglect or animal abuse and the court having jurisdiction is satisfied that an animal owned or controlled by such person would in the future be subject to such neglect or abuse, such animal shall not be returned to or allowed to remain with such person, but its disposition shall be determined by the court.

MO. ANN. STAT. § 578.025 (2017). Dogs, fighting, training to fight or injuring for amusement or gain, penalty—spectator, penalty

1. A person commits the offense of dogfighting if he or she::

(1) Owns, possesses, keeps, or trains any dog, with the intent that such dog shall be engaged in an exhibition of fighting with another dog;

(2) For amusement or gain, causes any dog to fight with another dog, or causes any dogs to injure each other; or

(3) Permits any act as described in subdivision (1) or (2) of this subsection to be done on any premises under his or her charge or control, or aids or abets any such act.

2. The offense of dogfighting is a class E felony.

MO. ANN. STAT. § 578.025 (2017). Spectating dogfighting, penalty--exceptions

1. A person commits the offense of spectating dogfighting if he or she is knowingly present, as a spectator, at any place, building, or structure where preparations are being made for an exhibition of the fighting of dogs, with the intent to be present at such preparations, or is knowingly present at such exhibition or at any other fighting or injuring as described in subdivision (2) of subsection 1 of section 578.025, with the intent to be present at such exhibition, fighting, or injuring.

2. The offense of spectating dogfighting is a class A misdemeanor.

3. Nothing in this section shall be construed to prohibit:

(1) The use of dogs in the management of livestock by the owner of such livestock, his or her employees or agents, or other persons in lawful custody of such livestock;

(2) The use of dogs in hunting; or

(3) The training of dogs or the use of equipment in the training of dogs for any purpose not prohibited by law.

MO. ANN. STAT. § 578.030 (2017). State highway patrol, powers and duties to enforce animal protection.

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

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

MO. ANN. STAT. § 578.050 (2017). Bullbaiting and cockfighting—penalty.

1. A person commits the offense of bullbaiting or cockfighting if he or she:

- (1) Keeps, uses, or in any way is connected with or interested in the management of, or receives money for the admission of any person to, any place kept or used for the purpose of fighting or baiting any bull, bear, cock, or other creature, except dogs;
- (2) Encourages, aids, assists, or is present at any place kept or used for such purpose; or
- (3) Permits or suffers any place belonging to him or her, or under his or her control, to be so kept or used.

2. The offense of bullbaiting or cockfighting is a class A misdemeanor.

MO. ANN. STAT. § 578.170 (2017). Definitions.

As used in sections 578.170 to 578.188, the following terms mean:

- (1) “Animal,” every living vertebrate except a human being;
- (2) “Baiting,” to attack, provoke, or harass an animal with one or more animals for the purpose of training an animal for, or to cause an animal to engage in, fights with other animals for the purpose of amusement, entertainment, wagering or gain;
- (3) “Bear wrestling,” a contest of fighting or physical altercation between one or more persons and a bear for the purpose of amusement, entertainment, wagering or gain;
- (4) “Person,” any individual, partnership, firm, joint stock company, corporation, association, other business unit, society, trust, estate or other legal entity, or any public or private institution.

MO. ANN. STAT. § 578.173 (2017). Baiting or fighting animals—penalty.

1. A person commits the offense of baiting or fighting animals if he or she:

- (1) Bait or fights animals;
- (2) Permits baiting or animal fighting to be done on any premises under his or her charge or control;
- (3) Promotes, conducts, or stages a baiting or fight between two or more animals;
- (4) Advertises a baiting or fight between two or more animals;
- (5) Collects any admission fee for a baiting or fight between two or more animals;
- (6) Knowingly attends the baiting or fighting of animals;
- (7) Knowingly sells, offers for sale, ships, or transports any animal which has been bred or trained to bait or fight another animal;
- (8) Owns or possesses any of the cockfighting implements, commonly known as gaffs and slashers, or any other sharp implement designed to be attached to the leg of a gamecock; or

(9) Manufactures, sells, barter, or exchanges any of the cockfighting implements, commonly known as gaffs and slashers, or any other sharp implement designed to be attached to the leg of a gamecock.

2. The offense of baiting or fighting animals is a class E felony.

MO. ANN. STAT. § 578.176 (2017). Bear wrestling—penalty.

1. A person commits the offense of bear wrestling if he or she:

- (1) Wrestles a bear;
- (2) Permits bear wrestling to be done on any premises under his or her charge or control;
- (3) Promotes, conducts, or stages bear wrestling;
- (4) Advertises bear wrestling;
- (5) Collects any admission fee for bear wrestling;
- (6) Purchases, sells, or possesses a bear which he or she knows will be used for bear wrestling;
- (7) Trains a bear for bear wrestling;
- (8) Subjects a bear to surgical alteration for bear wrestling.

2. The offense of bear wrestling is a class A misdemeanor.

MO. ANN. STAT. § 578.179 (2017). Seizure and disposition of animals.

Whenever an indictment is returned or a complaint is filed alleging a violation of section 578.173 or 578.176 and, in the case of a complaint, a magistrate finds probable cause that a violation has occurred, the court shall order the animals seized and shall provide for appropriate and humane care or disposition of the animals pursuant to section 578.018. This provision shall not be construed as a limitation on the power to seize animals as evidence at the time of arrest.

MO. ANN. STAT. § 578.182 (2017). Exemptions.

1. The provisions of sections 578.173 and 578.176 shall not apply to:

(1) Any person simulating a fight for the purpose of using the simulated fight as part of a motion picture production or a motion picture production for television, provided sections 578.009 and 578.012 are not violated;

(2) Any person selling, offering for sale, shipping, transporting or using any animal, for the sole purpose of tracking, pursuing or taking wildlife, or to participate in any hunting, fishing or any other activity regulated by the Missouri wildlife code;

(3) Any person using animals to herd, work or identify livestock for agricultural purposes according to recognized animal husbandry.

2. Nothing in the provisions of sections 578.170, 578.173, and 578.176 shall be construed to:

(1) Prohibit breeding, rearing or slaughtering poultry pursuant to the provisions of chapters 196, 262, 265, 276 and 277, RSMo;

(2) Prohibit breeding or rearing game fowl when the game fowl are not intended for use in violation of the provisions of sections 578.170, 578.173 or 578.176;

(3) Prohibit professional or amateur rodeo practices, and skill events when the practices and skill events are not intended for use in violation of the provisions of sections 578.170, 578.173 and 578.176.

MO. ANN. STAT. § 578.185 (2017). Injunction.

A court of competent jurisdiction may enjoin a person from a continuing violation of section 578.173 or 578.176.

MO. ANN. STAT. § 578.188 (2017). Severability.

The provisions of sections 578.170, 578.173, 578.176, 578.179, 578.182, and 578.185 are hereby declared to be severable. If any of these provisions, or the application of any of these provisions to any person or circumstance, is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of these sections.