

SENATE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 574
AN ACT

To amend chapter 261, RSMo, by adding thereto one new section relating to the inspection of grounds or facilities used for certain agricultural purposes.

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

Section A. Chapter 261, RSMo, is amended by adding thereto
2 one new section, to be known as section 261.099, to read as
3 follows:

261.099. 1. The Missouri department of agriculture or
2 its representative, the Missouri department of natural
3 resources or its representative, the county sheriff for the
4 county in which the facility is located, the United States
5 Department of Agriculture, and any other federal or Missouri
6 state agency with statutory or regulatory authority over the
7 products, animals, or processes described in subdivisions
8 (1) to (4) of this subsection have the exclusive authority
9 to inspect grounds or facilities that are located in
10 Missouri and that are used for:

- 11 (1) The production of eggs;
- 12 (2) The production of milk or other dairy products;
- 13 (3) The raising of livestock or poultry; or
- 14 (4) The production or raising of dogs or other animals
15 that are not used to produce any food product.

16 2. No person, individual, corporation or other
17 association, governmental agency, or any other entity except
18 the entities described in subsection 1 of this section shall
19 inspect the grounds or facilities described in subsection 1

20 of this section to enforce or carry out the laws or
21 administrative rules of this state or a state other than
22 Missouri unless specifically requested by the owner of the
23 grounds or facilities, or pursuant to a search warrant
24 lawfully issued by a court of competent jurisdiction.

25 3. (1) This section shall not apply to inspections
26 performed in any charter county or any city not within a
27 county.

28 (2) This section shall not apply to inspections
29 performed on any further processing component of any
30 production agriculture farm.

31 (3) This section shall not apply to searches carried
32 out under section 252.100.

33 4. No testimony or evidence regarding any condition or
34 event at the grounds or facilities set forth in subsection 1
35 of this section shall be admissible in any criminal
36 prosecution or civil case unless such testimony or evidence
37 is offered by:

38 (1) A representative of any agency or office set forth
39 in subsection 1 of this section;

40 (2) Any person, individual, corporation or other
41 association, governmental agency, or other entity
42 specifically authorized by the owner of such grounds or
43 facilities to be present at such grounds or facilities;

44 (3) Any person who entered such grounds or facilities
45 pursuant to a valid search warrant issued by the court of
46 competent jurisdiction; or

47 (4) Any person who has observed a condition or event
48 at the grounds or facilities from public land or private
49 land owned or rented by the person offering the testimony or
50 evidence.