

Missouri Revised Statutes

Chapter 252 Department of Conservation--Fish and Game

August 28, 2013

Definitions.

252.020. As used in sections 252.010 to 252.240, unless the context otherwise requires:

(1) The word "commission" shall mean and include the conservation commission as established by the Constitution of Missouri; and the words "rules and regulations" shall mean those made by said commission pursuant thereto;

(2) The word "person" shall mean any individual, male or female, singular or plural, of whatever age, and this term shall include and refer to any owner, grantee, lessee, licensee, permittee, firm, association, copartnership, corporation, municipality or county, as the context may require;

(3) The word "wildlife" shall mean and include all wild birds, mammals, fish and other aquatic and amphibious forms, and all other wild animals, regardless of classification, whether resident, migratory or imported, protected or unprotected, dead or alive; and shall extend to and include any and every part of any individual species of wildlife.

(L. 1945 p. 664 § 3)

Sale of any species of wildlife, fish parts thereof or eggs taken in violation of rules--penalties--sale and property defined.

252.235. The sale, taking for sale or possession for sale of any species of fish or wildlife, or parts thereof, which shall include eggs, which have been taken or possessed in violation of the rules and regulations of the commission, is prohibited. Any person violating the provisions of this section shall be guilty of a class A misdemeanor for the first offense if the sale amounts to less than five hundred dollars. Any person violating the provisions of this section shall be guilty of a class D felony for the second and subsequent offense if the sale amounts to less than five hundred dollars. Any person violating the provisions of this section shall be guilty of a class C

felony for the first and all subsequent offenses if the sale amounts to five hundred dollars or more. "Sale" means the exchange of an amount of money, other negotiable instruments, or property of value received by the person or persons selling the prohibited species. "Sale", for purposes of this section, shall also mean the intention to exchange an amount of money, other negotiable instruments or property of value for a prohibited species. For the purposes of this section "property" is defined by section 570.010 and value shall be ascertained as set forth in section 570.020.

(L. 1989 H.B. 214, A.L. 1993 H.B. 306, A.L. 2002 H.B. 1888)

Endangered species law, definitions--prohibited activities, exceptions, penalty.

252.240. 1. The importation, transportation, or sale of any endangered species of fish or wildlife, or hides or other parts thereof, or the sale or possession with intent to sell any article made in whole or in part from the skin, hide or other parts of any endangered species of fish or wildlife is prohibited. For the purposes of this section, "endangered species" shall mean those species of fish and wildlife designated by the department of conservation, by rule filed with the secretary of state, and those species listed by the United States Department of the Interior, as threatened or endangered.

2. The exportation, transportation, or sale of any endangered species of plant, or parts thereof, or the sale or possession with intent to sell any product made in whole or in part from any parts of any endangered species of plants is prohibited, unless authorized by regulation. For purposes of this section, "endangered species of plants" shall mean those species of plants which are designated as rare or endangered by the department of conservation or listed in the "United States List of Endangered and Threatened Wildlife and Plants" pursuant to the Endangered Species Act of 1973, Public Law 93-205 (87 STAT 884) as amended, or listed in the "Appendices on the Convention of International Trade in Endangered Species of Wild Fauna and Flora".

3. Such rule shall take effect sixty days after it has been filed with the secretary of state.

4. Any publicly owned and operated zoo shall be exempt from the provisions of this section. The provisions of this section shall not apply to legally acquired wildlife held under permit or to wildlife legally taken in another state or to articles manufactured before January 1, 1973.

5. The collecting, digging, or picking of any rare or endangered plant without the permission of the property owner is prohibited.

6. Any person violating the provisions of this section is guilty of a class B misdemeanor.

(L. 1972 H.B. 790 §§ 1, 2, 4, A.L. 1984 H.B. 1079)

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