



MISSOURI ALLIANCE FOR ANIMAL LEGISLATION FALL 2013 NEWSLETTER

LAWSUIT TO ELIMINATE TAXES ON SHELTERS ENDANGERED LARGE CARNIVORE ACT

Protection for Large Cats & Fees on Shelters Remain in Effect



The Missouri Supreme Court recently upheld the constitutionality of Senate Bill 795 which was passed by the Missouri Legislature in 2010. Senate Bill 795 contained numerous provisions including the imposition of license fees upon animal shelters and rescues, numerous agricultural items, and the Large Carnivore Act.

The intent of the lawsuit challenging SB 795 was to eliminate the fees unfairly imposed on animal shelters and rescues. The Alliance strenuously opposed the passage of the provision of SB 795 that levied taxes on non-profit animal welfare organizations and, in fact, was the only organization that testified in opposition to such legislation when it was introduced. We have since worked hard to secure sponsorship towards legislation that would repeal this tax on animal shelters and rescues.

In the past, charitable entities have been exempt from paying licensing fees in recognition of their important role in keeping stray animals off the streets and protecting the public from disease and other health problems that can result from the irresponsible actions of others. Alliance Executive Director, Bob Baker, has testified numerous times in opposition to such unfair fees and has told state legislators that taxing charities helping to end the suffering of homeless animals was akin to taxing homeless shelters.

Mr. Baker further testified that without these charitable entities, the state of Missouri and its local governments would no doubt be forced to incur higher costs in order to eliminate animal suffering and to protect the public health of all citizens.

While we remain committed to our efforts to eliminate such fees, **the Alliance welcomes the ruling from the Supreme Court since overturning SB 795 would have also resulted in the overturning of the Large Carnivore Act which was also contained in SB 795.**

The Large Carnivore Act (LCA) requires owners of large carnivores to be licensed and regulated by the Department of Agriculture and requires the humane care of such animals. The Alliance, and other proponents of regulating the ownership and care of exotic animals, worked tirelessly for 8 years toward passage of this important legislation. It would have never passed without the perseverance and unrelenting work of its sponsor, Representative Mike Sutherland, who is no longer a member of the legislature. If the LCA was overturned as a result of the lawsuit against shelter fees, it is very likely these protections for large cats would not be reinstated for many years to come. Unfortunately, the Plaintiffs in the lawsuit never requested the Supreme Court to sever the shelter fee portion of SB 795 from the remaining provisions of the legislation that was being challenged. Such failure to do so directly threatened the law providing humane protections for large cats in Missouri.

We are extremely thankful to the Attorney General's office and especially to Assistant Attorney General Jessica Blome for vigorously protecting the welfare of the numerous tigers and lions held in captivity in the state and for aggressively and successfully defending the constitutionality of SB 795. Most people would be surprised to know that there are more tigers held in captivity in the United States than exist in the wild throughout the entire world. Unfortunately, Missouri is one of the leading states in the ownership and in the trade of lions and tigers and other large cats. It is also home to the largest exotic animal auction in the country. **We certainly could not afford to lose the Large Carnivore Act and the needed protection it provides to large cats held captive in the state of Missouri.** The Alliance will continue its work to repeal the unfair fees imposed on Missouri animal shelters and rescues.

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