

[Statute/Constitution Search](#)

[Analytical Index](#)

[Alphabetical Index](#)

[Constitution Index](#)

Search

(Press Tab to search)

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[Top](#)

Missouri Revised Statutes

Chapter 209

Disabilities Assistance, Aid to the Blind, and Rights of Persons with Visual, Hearing or Physical Disabilities

[←209.200](#)

Section 209.202.1

[209.204→](#)

August 28, 2016

Crime of causing substantial injury to or the 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.**

209.202. 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.

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[Top](#)



Missouri General Assembly

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