

**CHAPTER 227****FACILITIES USED TO MAINTAIN ANIMALS***H.F. 662*

**AN ACT** relating to facilities used to maintain animals, and providing penalties.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. **NEW SECTION. 717A.1 ANIMAL FACILITIES.**

1. As used in this section, unless the context otherwise requires:

a. "Animal" means a warm or cold blooded animal, including an animal belonging to the bovine, canine, feline, equine, ovine, or porcine species, or an animal which belongs to a species of poultry or fish, or an animal which is an invertebrate.

b. "Animal facility" means any of the following:

(1) A location where an animal is maintained for agricultural production, including an operation dedicated to farming as defined in section 172C.1, a livestock market, exhibition, or a vehicle used to transport the animal.

(2) A location where an animal is maintained for educational or scientific purposes, including an institution as defined in section 351A.1, a research facility as defined in section 162.2, an exhibition, or a vehicle used to transport the animal.

(3) A location which is a facility operated by a person licensed to prescribe veterinary medicine pursuant to chapter 169.

(4) A pound as defined in section 162.2.

(5) An animal shelter as defined in section 162.2.

(6) A pet shop as defined in section 162.2.

(7) A boarding kennel as defined in section 162.2.

(8) A commercial kennel as defined in section 162.2.

c. "Consent" means express or apparent assent by a person authorized to provide such assent.

d. "Deprive" means to do any of the following:

(1) Withhold an animal or property belonging to or maintained by an animal facility for a period of time sufficient to significantly reduce the value or enjoyment of the animal or property.

(2) Withhold an animal or property for ransom or upon condition to restore the animal or property in return for compensation.

(3) Dispose of an animal or property of an owner in a manner that makes recovery of the animal or property by the owner unlikely.

e. "Maintain" means to keep, handle, house, exhibit, breed, or offer for sale, or sell an animal.

f. "Owner" means a person who has a legal interest in an animal or property or who is authorized by the holder of the legal interest to act on the holder's behalf.

2. A person shall not, without the consent of the owner, do any of the following:

a. Willfully destroy property of an animal facility, or injure an animal maintained at an animal facility.

b. Exercise control over an animal facility including property of the animal facility, or an animal maintained at an animal facility, with intent to deprive the animal facility of an animal or property.

c. Enter onto or into an animal facility, or remain on or in an animal facility, if the person has notice that the facility is not open to the public, if the person has an intent to do one of the following:

(1) Disrupt operations conducted at the animal facility, if the operations directly relate to agricultural production, animal maintenance, educational or scientific purposes, or veterinary care.

(2) Injure an animal maintained at the animal facility.

A person has notice that an animal facility is not open to the public if the person is provided notice before entering onto or into the facility, or the person refuses to immediately depart from the facility after being informed to leave. The notice may be in the form of a written

or verbal communication by the owner, a fence or other enclosure designed to exclude intruders or contain animals, or a sign posted which is reasonably likely to come to the attention of an intruder and which indicates that entry is forbidden.

3. A person suffering damages resulting from an action which is in violation of subsection 2 may bring an action in the district court against the person causing the damage to recover all of the following:

a. An amount equaling three times all actual and consequential damages.

b. Court costs and reasonable attorney fees.

4. A person violating this section is guilty of the following penalties:

a. A person who violates subsection 2, paragraph "a", is guilty of a class "C" felony if the injury to an animal or damage to property exceeds fifty thousand dollars, a class "D" felony if the injury to an animal or damage to property exceeds five hundred dollars but does not exceed fifty thousand dollars, an aggravated misdemeanor if the injury to an animal or damage to property exceeds one hundred dollars but does not exceed five hundred dollars, a serious misdemeanor if the injury to an animal or damage to property exceeds fifty dollars but does not exceed one hundred dollars, or a simple misdemeanor if the injury to an animal or damage to property does not exceed fifty dollars.

b. A person who violates subsection 2, paragraph "b", is guilty of a class "D" felony.

c. A person who violates subsection 2, paragraph "c", is guilty of an aggravated misdemeanor.

5. This section does not prohibit any conduct of a person holding a legal interest in an animal or property which is superior to the interest held by a person suffering from damages resulting from the conduct. The section does not apply to activities of a governmental agency.

Approved May 31, 1991

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## CHAPTER 228

### PHYSICAL THERAPIST ASSISTANTS

*S.F. 48*

**AN ACT** relating to professional titles and abbreviations of physical therapists and physical therapist assistants, and licensure, examination fees, and conditions of practice of physical therapist assistants.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 147.74, unnumbered paragraph 8, Code 1991, is amended by striking the paragraph and inserting in lieu thereof the following:

A physical therapist registered or licensed under chapter 148A may use the words "physical therapist" after the person's name or signify the same by the use of the letters "PT" after the person's name.

A physical therapist assistant licensed under chapter 148A may use the words "physical therapist assistant" after the person's name or signify the same by use of the letters "PTA" after the person's name.

Sec. 2. Section 147.80, Code 1991, is amended by adding the following new subsection:

**NEW SUBSECTION. 8A.** License to practice as a physical therapist assistant issued on the basis of an examination given by the board of physical and occupational therapy examiners, license to practice as a physical therapist assistant issued under a reciprocal agreement, renewal of a license to practice as a physical therapist assistant.