

House File 2406 - Introduced

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BY JACOBY

A BILL FOR

1 An Act requiring the department of agriculture and land
2 stewardship to employ additional personnel to inspect or
3 monitor commercial establishments where nonagricultural
4 animals are kept, and including effective date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 162.2D Personnel to inspect or
2 monitor commercial establishments.

3 1. For the fiscal year beginning July 1, 2024, and each
4 fiscal year thereafter until the fiscal year beginning July
5 1, 2029, the department of agriculture and land stewardship
6 shall increase the number of full-time equivalent positions
7 whose sole duty shall be to inspect or monitor commercial
8 establishments regulated by the department under this chapter.
9 The increased number required under this section shall
10 be two more than the total number of full-time equivalent
11 positions whose sole duty was to inspect or monitor commercial
12 establishments for the fiscal year beginning July 1, 2023, and
13 ending June 30, 2024.

14 2. This section is repealed July 1, 2029.

15 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
16 importance, takes effect upon enactment.

17 EXPLANATION

18 The inclusion of this explanation does not constitute agreement with
19 the explanation's substance by the members of the general assembly.

20 BILL'S PROVISIONS. This bill provides that for FY 2024-2025
21 through FY 2028-2029, the department of agriculture and land
22 stewardship (DALs) must add two more full-time employees to
23 inspect or monitor commercial establishments where certain
24 animals are kept (Code chapter 162). The provision is repealed
25 July 1, 2029.

26 BACKGROUND. A commercial establishment maintains animals
27 other than agricultural animals (Code section 162.1). This
28 includes an animal shelter, boarding kennel, commercial
29 breeder, commercial kennel, dealer, pet shop, pound, public
30 auction, or research facility (Code section 162.2). DALs
31 issues an animal shelter, pound, or research facility a
32 certificate of registration and with one exception issues any
33 other commercial establishment a state license. DALs issues
34 a commercial breeder, dealer, or public auction a permit upon
35 the commercial establishment's election. In order to be issued

1 or retain a permit, each of these three types of commercial
2 establishments must also be issued a federal license by the
3 United States department of agriculture (Code section 162.2A).
4 A commercial establishment is required to maintain animals
5 under its possession or control according to certain health
6 requirements, including adequate feed, adequate water, housing
7 facilities, sanitary control, grooming practices affecting
8 the health of the animal, and veterinary care (Code section
9 162.10A). To determine compliance with health requirements,
10 DALs personnel may inspect a commercial establishment owned
11 or operated by a registrant or state licensee during normal
12 business hours (Code section 162.10B). Alternatively, DALs
13 personnel may monitor a commercial establishment owned or
14 operated by a permittee if there is reasonable cause to suspect
15 that the permittee is not providing for the required standard
16 of care (Code section 162.10C). The regulation of commercial
17 establishments is supported in part by fees paid by commercial
18 establishments (Code section 162.2B) to DALs for deposit into
19 the commercial establishment fund, which is appropriated to
20 DALs to support its regulatory efforts (Code section 162.2C).