717F.1 Definitions.

As used in this chapter, unless the context otherwise requires:

1. *"Agricultural animal"* means an agricultural animal as defined in section 717A.1 other than swine which is a member of the species sus scrofa linnaeus, including but not limited to swine commonly known as Russian boar or European boar of either sex.

2. *"Assistive animal"* means the same as defined in section 216C.11.

3. *a.* "Circus" means a person who is all of the following:

(1) The holder of a class "C" license issued by the United States department of agriculture as provided in 9 C.F.R. pt. 2, subpt. A.

(2) Is temporarily in this state as an exhibitor as defined in 9 C.F.R. pt. 1, for purposes of providing skilled performances by dangerous wild animals, clowns, or acrobats for public entertainment.

b. "Circus" does not include a person, regardless of whether the person is a holder of a class "C" license as provided in paragraph *"a"*, who uses a dangerous wild animal for any of the following purposes:

(1) A presentation to children at a public or nonpublic school as defined in section 280.2.

(2) Entertainment that involves an activity in which a member of the public is in close proximity to the dangerous wild animal, including but not limited to a contest or a photographic opportunity.

4. *"Custody"* means to possess, control, keep, or harbor a dangerous wild animal in this state by a public agency.

5. *a.* *"Dangerous wild animal"* means any of the following:

(1) A member of the family canidae of the order carnivora, including but not limited to wolves, coyotes, and jackals. However, a dangerous wild animal does not include a domestic dog.

(2) A member of the family hyaenidae of the order of carnivora, including but not limited to hyenas.

(3) A member of the family felidae of the order carnivora, including but not limited to lions, tigers, cougars, leopards, cheetahs, ocelots, and servals. However, a dangerous wild animal does not include a domestic cat.

(4) A member of the family ursidae of the order carnivora, including bears and pandas.

(5) A member of the family rhinocero tidae order perissodactyla, which is a rhinoceros.

(6) A member of the order proboscidea, which are any species of elephant.

(7) A member of the order of primates other than humans, and including the following families: callitrichiadae, cebidae, cercopithecidae, cheirogaleidae, daubentoniidae, galagonidae, hominidae, hylobatidae, indridae, lemuridae, loridae, megaladapidae, or tarsiidae. A member includes but is not limited to marmosets, tamarins, monkeys, lemurs, galagos, bushbabies, great apes, gibbons, lesser apes, indris, sifakas, and tarsiers.

(8) A member of the order crocodilia, including but not limited to alligators, caimans, crocodiles, and gharials.

(9) A member of the family varanidae of the order squamata, which are limited to water monitors and crocodile monitors.

(10) A member of the order squamata which is any of the following:

(a) A member of the family varanidae, which are limited to water monitors and crocodile monitors.

(b) A member of the family atractaspidae, including but not limited to mole vipers and burrowing asps.

(c) A member of the family helodermatidae, including but not limited to beaded lizards and gila monsters.

(d) A member of the family elapidae, voperidae, crotalidae, atractaspidae, or hydrophidae which are venomous, including but not limited to cobras, mambas, coral snakes, kraits, adders, vipers, rattlesnakes, copperheads, pit vipers, keelbacks, cottonmouths, and sea snakes.

(e) A member of the superfamily henophidia, which are limited to reticulated pythons, anacondas, and African rock pythons.

(11) Swine which is a member of the species sus scrofa linnaeus, including but not limited to swine commonly known as Russian boar or European boar of either sex.

b. *"Dangerous wild animal"* includes an animal which is the offspring of an animal provided in paragraph *"a"*, and another animal provided in that paragraph or any other animal. It also includes animals which are the offspring of each subsequent generation. However, a dangerous wild animal does not include the offspring of a domestic dog and a wolf, or the offspring from each subsequent generation in which at least one parent is a domestic dog.

6. *"Department"* means the department of agriculture and land stewardship.

7. *"Electronic identification device"* means a device which when installed is designed to store information regarding an animal or the animal's owner in a digital format which may be accessed by a computer for purposes of reading or manipulating the information.

8. *"Possess"* means to own, keep, or control a dangerous wild animal, or supervise or provide for the care and feeding of a dangerous wild animal, including any activity relating to confining, handling, breeding, transporting, or exhibiting the dangerous wild animal.

9. *"Public agency"* means the same as defined in section 28E.2.

10. *"Research facility"* means any of the following:

a. A federal research facility as provided in 9 C.F.R. ch. I.

b. A research facility that is required to be registered by the United States department of agriculture pursuant to 9 C.F.R. ch. I.

c. A research facility which is certified by the department of agriculture and land stewardship as provided in section 162.10.*

11. *"Wildlife sanctuary"* means an organization exempt from taxation pursuant to section 501(c) of the Internal Revenue Code that operates a place of refuge where abused, neglected, unwanted, impounded, abandoned, orphaned, or displaced wildlife are provided care for their lifetime, if all of the following apply:

a. The organization does not buy, sell, trade, auction, lease, loan, or breed any animal of which the organization is an owner.

b. The organization is accredited by the American sanctuary association, the association of sanctuaries, or another similar organization recognized by the department.

2007 Acts, ch 195, §1; 2007 Acts, ch 215, §118 – 120
*Section 162.10 was repealed by 2010 Acts, ch 1030, §26; corrective legislation is pending