

SENATE FILE 1122

FILED FEB 7 1974
Judiciary 2/8, Page 2/26
Senate File 1122 *County Seat 4/8*
Judiciary—
Kennedy, Chairman
Willits
Kelly _____

By GLUBA, RILEY, KINLEY,
RODGERS and BLOUIN
(Cusack and Carr)

Passed Senate, Date 4-3-74 (1168) Passed House, Date _____
Vote: Ayes 33 Nays 9 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the seizure and destruction of dogs.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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S—2653
1 Amend Senate File 1122 as follows:
2 1. Page 2, line 19, by striking the word "shall"
3 and inserting in lieu thereof the words "may agree to
4 accept possession of the dog and may".
5 2. Page 2, by inserting after line 25 the follow-
6 ing:
7 A dog seized or impounded under this section may be
8 redeemed by the owner or disposed of by the impounding
9 authority as provided in section three hundred fifty-
10 one point thirty-seven (351.37) of the Code.
11 3. Page 2, line 33, by inserting after the word
12 "person" the words ", or when it is believed that the
13 dog is rabid or otherwise dangerous to humans".

S—2653 Filed and adopted By RAMSEY
April 3, 1974

1 Section 1. Section three hundred fifty-one point twenty-
2 six (351.26), Code 1973, is amended by striking the section
3 and inserting in lieu thereof the following:

4 351.26 SEIZING DOGS. It shall be lawful for any person
5 and the duty of all peace officers to seize and impound dogs
6 for which a license is required when the dog is not wearing
7 a collar with a license tag attached.

8 If a dog is seized by a person within the unincorporated
9 area of a county or within the corporate limits of a city
10 that has established a dog pound or contracted for the
11 collection and protection of dogs, the person shall notify
12 the dog pound or incorporated society or association for the
13 prevention of cruelty to animals, who shall take possession
14 of the dog.

15 If a dog is seized by a person within the unincorporated
16 area of a county or within the corporate limits of a city
17 which has not provided for the collection and protection of
18 dogs, the person shall notify the police department or sheriff
19 respectively. The police department or sheriff shall deliver
20 the dog to the nearest dog pound, society for the prevention
21 of cruelty to animals or animal rescue league which shall
22 accept possession of the dog. The normal and usual fee for
23 accepting possession of a dog shall be billed to the city
24 or county which delivered the dog and shall be paid from their
25 general fund if other funds have not been provided.

26 Sec. 2. Section three hundred fifty-one point twenty-seven
27 (351.27), Code 1973, is amended to read as follows:

28 351.27 RIGHT TO KILL ~~LICENSED~~ A DOG. It shall be law-
29 ful for any person to kill a licensed or unlicensed dog
30 ~~licensed-and-wearing-a-collar-with-license-tag-attached~~, when
31 such dog is caught in the act of worrying, chasing, maiming,
32 or killing any domestic animal or fowl, or when such dog is
33 attacking or attempting to bite a person.

34 EXPLANATION

35 This bill provides for eliminating the Code provision which

1 allows for the summary shooting of unlicensed dogs over six
2 months of age and provides for their seizure and delivery
3 to a dog pound, society for the prevention of cruelty to
4 animals, or animal rescue league. However, a licensed or
5 unlicensed dog caught in the act of worrying, chasing, maiming
6 or killing a domestic animal or fowl, or attacking or
7 attempting to bite a person may be lawfully killed.

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