

*Judiciary 1/15 Amend per 5272 & Do Pass
3/5 (p 715)*

Returned Judiciary 7/11 FILED JAN 14 1980

SENATE FILE 2025
By HOLDEN and BISENIUS

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the injury to animals chapter of the
2 criminal code and providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section seven hundred seventeen point one
2 (717.1), Code 1979, is amended to read as follows:

3 717.1 INJURY TO ANIMALS. Any A person who, having no
4 right to do so, ~~shall~~ maliciously ~~kill~~ kills, ~~maim~~ maims,
5 or ~~disfigure-any~~ disfigures an animal ~~of-another~~, or
6 maliciously ~~administer~~ administers poison to ~~any-such an~~
7 animal, or ~~expose-any~~ exposes a poisonous substance with the
8 intent that ~~the-same~~ it should be taken by ~~any-such an~~ animal,
9 ~~shall-be~~ is guilty of ~~an-aggravated~~ a serious misdemeanor.

10 Sec. 2. Section seven hundred seventeen point two (717.2),
11 Code 1979, is amended to read as follows:

12 717.2 CRUELTY TO ANIMALS. Any A person who ~~shall-impound~~
13 impounds or ~~confine~~ confines or ~~cause~~ causes to be impounded
14 or confined, in any place, ~~any-domestic~~ an animal, or fowl,
15 or ~~any a~~ a dog or cat, and ~~fail~~ fails to supply ~~such~~ the animal
16 during confinement with a sufficient quantity of food and
17 water, or who ~~shall-torture~~ tortures, ~~torment~~ torments, ~~deprive~~
18 deprives of necessary sustenance, ~~mutilate~~ deprives of
19 necessary shelter, mutilates, overdrive overdrives, overload
20 overloads, drive drives when overloaded, ~~beat~~ beats, or ~~kill~~
21 ~~any-such~~ kills the animal by any means which ~~shall~~ cause
22 unjustified pain, distress or suffering, whether intentionally
23 or negligently including but not limited to the negligent
24 exposure of the animal except rats or mice to poison, or who
25 abandons or causes to be abandoned the animal in a manner
26 which causes unjustified suffering by the animal, shall-be
27 is guilty of a ~~simple~~ serious misdemeanor.

28 Sec. 3. Section seven hundred seventeen point three
29 (717.3), Code 1979, is amended to read as follows:

30 717.3 EXHIBITIONS AND FIGHTS. A person who arranges,
31 promotes, or stages an exhibition at which ~~any an~~ an animal is
32 tormented, or ~~any a~~ a fight between animals or between a person
33 and an animal, or who keeps a place where such exhibitions
34 and fights are staged for the entertainment of spectators,
35 or who trains an animal for such an exhibition, or who trains

1 an animal for any purpose in such a manner that the animal
2 or another animal is tormented, commits a serious misdemeanor.

3 Sec. 4. Chapter seven hundred seventeen (717), Code 1979,
4 is amended by adding the following new section:

5 NEW SECTION. ACCIDENTS. The driver of a vehicle, as
6 defined in section three hundred twenty-one point one (321.1)
7 of the Code, involved in an accident resulting in injury or
8 death of a domestic animal, or fowl, or a dog or cat shall
9 immediately stop the vehicle as close as possible to the scene
10 of the accident and make a reasonable effort to determine
11 the owner of the animal. A reasonable effort includes, but
12 is not limited to, examining identification tags on the animal
13 and inquiring of persons in the vicinity of the accident.
14 If the owner of the animal is identified, the driver of the
15 vehicle shall notify the owner of the accident and the injury
16 or death of the animal as soon as possible. If the owner
17 is not identified, the driver shall immediately notify law
18 enforcement authorities. A person failing to comply with
19 this section is guilty of a serious misdemeanor.

20 Sec. 5. This Act is effective January first following
21 its enactment.

22 EXPLANATION

23 The bill amends the Injury to Animals chapter of the
24 criminal code to change the penalties for injury to animals
25 and cruelty to animals, to add prohibitions in the treatment
26 of animals and to require vehicle drivers to report accidents
27 causing injury or death to certain animals. Failure to make
28 the report is a serious misdemeanor.

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SENATE FILE 2025

S-5272

- 1 Amend Senate File 2025 as follows:
2 1. Page 1, line 14, by striking the words "domestic
3 an" and inserting in lieu thereof the words "a
4 domestic".
5 2. Page 1, by striking lines 23 through 26 and
6 inserting in lieu thereof the words "or negligently,
7 shall-be".
8 3. Page 2, by striking lines 3 through 19.
9 4. By renumbering sections as made necessary by
10 this amendment.

S-5272 FILED
MARCH 5, 1980

BY COMMITTEE ON JUDICIARY
LUCAS J. DE KOSTER, CHAIRPERSON

B.C. - Adopted 3/21 (p. 1018)

SENATE FILE 2025

S-5313

- 1 Amend amendment S-5272 to Senate File 2025 as
2 follows:
3 1. Page 1, by striking lines 5 through 7 and
4 inserting in lieu thereof the following:
5 " Page 1, line 24, by striking the words
6 "except rats or mice".
7 2. Page 1, by striking line 8 and inserting in
8 lieu thereof the following:
9 " Page 2, by striking lines 9 through 19 and
10 inserting in lieu thereof the words: "either make
11 a reasonable effort to notify the owner of the animal
12 as soon as possible or shall immediately notify law
13 enforcement authorities. A person failing to comply
14 with this section is guilty of a simple misdemeanor."

S-5313 FILED
MARCH 7, 1980

BY EDGAR H. HOLDEN

SENATE FILE 2025

S-5403

- 1 Amend Senate File 2025 as follows:
2 1. Page 2, line 8, by striking the words "or
3 cat".

S-5403 FILED & ADOPTED BY RAY TAYLOR
MARCH 17, 1980

*Motion to Reconsider 3/18
Reconsidered & adopted 3/21 (p. 1018)*

SENATE FILE 2025

S-5404

- 1 Amend Senate File 2025 as follows:
2 1. Page 2, line 8, by striking the words "or
3 fowl".

S-5404 FILED & ADOPTED BY SUE YENGER
MARCH 17, 1980

*Motion to Reconsider 3/18
Reconsidered & adopted 3/21 (p. 1018)*

SENATE FILE 2025

S-5513

1 Amend Senate File 2025 as follows:

2 1. Page 1, by inserting before line 1 the
3 following new section:

4 "Section 1. Section one hundred eighty-eight point
5 forty-nine (188.49), Code 1979, is amended to read
6 as follows:

7 188.49. NEGLECTED ANIMALS. Any person may take
8 charge of any animal when the owner fails to prop-
9 erly take care and provide for it, and may furnish
10 the same with proper care, either on his own premises
11 or on the premises of the owner, and shall have a
12 lien on the animal for the same, and the reasonable
13 value of such care may be collected by him from the
14 said owner. Furthermore, any animal removed from
15 the possession of the owner for failure to properly
16 care for and provide for the animal, shall not be
17 returned to the owner until a hearing has been held
18 by a magistrate on the suitability of returning the
19 animal to the owner's possession. If it is determined
20 that there is no reasonable likelihood that the owner
21 will properly care for the animal, if the animal is
22 returned to that person's possession, the owner's
23 property rights in the animal shall be terminated
24 and the animal shall be disposed of as though it
25 had been abandoned."

S-5513 FILED
MARCH 24, 1980

BY BASS VAN GILST

SENATE FILE 2025

S-5518

1 Amend Senate File 2025 as follows:

2 1. Page 2, by inserting after line 2 the following
3 new section:

4 "Sec. ____ . Chapter seven hundred seventeen (717),
5 Code 1979, is amended by adding the following new
6 section:

7 NEW SECTION. ACCIDENTS. If a domestic animal
8 is involved in an accident on a public street or
9 highway while not in the control of its owner the
10 owner is guilty of a simple misdemeanor."

S-5518 FILED
MARCH 25, 1980

BY STEPHEN W. BIENIUS

SENATE FILE 2025

S-5529

1 Amend Senate File 2025 as follows:
2 1. Page 2, by inserting after line 2 the following
3 new section:
4 "Sec. ____ Chapter seven hundred seventeen (717),
5 Code 1979, is amended by adding the following new
6 section:
7 NEW SECTION. ACCIDENTS. If a domestic animal
8 is involved in a motor vehicle accident on a public
9 street or highway while not in the control of its
10 owner the owner is guilty of a simple misdemeanor."

S-5529 FILED
MARCH 26, 1980

BY STEPHEN W. BISENIUS