

Richard B. ...

FILED FEB 04 1992

SENATE FILE 2092

BY RIORDAN

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

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

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SF 2092

1 Section 1. NEW SECTION. 717.1A DEFINITIONS.

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

4 1. "Abandon" means to permanently relinquish control or
5 possession of an animal.

6 2. "Adequate shelter" means providing an animal with an
7 environment normally required by an animal of the same species
8 to preserve the physical condition of the animal from physical
9 or climatic elements which could result in injury or death to
10 the animal.

11 3. "Animal" means any live nonhuman vertebrate.

12 4. "Necessary sustenance" means the maintenance normally
13 required by animals of the same species necessary for an
14 animal's health, including sufficient food, sufficient water,
15 adequate shelter, and veterinary care.

16 5. "Sufficient food" means providing an animal with
17 nourishment at times normally required by an animal of the
18 same species, in a quantity and of a quality required to
19 sustain the normal condition of an animal of the same species.

20 6. "Sufficient water" means providing an animal with water
21 at times normally required by an animal of the same species,
22 in a quantity and of a quality required to sustain the normal
23 condition of an animal of the same species.

24 7. "Torture" means an act which results in the injury or
25 death of an animal, if the act constitutes physical abuse or
26 neglect, and is not recognized as part of animal husbandry or
27 maintenance, or veterinary practice.

28 Sec. 2. Section 717.2, unnumbered paragraph 1, Code 1991,
29 is amended to read as follows:

30 A person who commits cruelty to animals, if the person
31 impounds or confines--in-any-place--a-domestic-an-animal-or
32 fowl--or-an-animal-or-fowl-subject-to-section-169:667--or-dog
33 or-cat, and fails intentionally or negligently does any of the
34 following:

35 1. Fails to supply the animal during-confinement with a

1 sufficient quantity of food, ~~and or sufficient water,~~ ~~or who~~
2 fails.

3 2. Fails to provide a dog or cat with adequate shelter, ~~or~~
4 who ~~tortures.~~

5 3. Tortures, torments, deprives of necessary sustenance,
6 mutilates, overdrives, overloads, drives when overloaded,
7 beats, or kills an animal by any a means which cause causes
8 unjustified pain, distress, or suffering, ~~whether~~
9 ~~intentionally or negligently,~~ ~~commits the offense of cruelty~~
10 ~~to animals.~~

11 Sec. 3. Section 717.4 is amended by striking the section
12 and inserting in lieu thereof the following:

13 717.4 ABANDONMENT OF ANIMALS.

14 A person who owns or maintains custody of an animal shall
15 not abandon the animal, including by vacating the person's
16 premises and leaving the animal at the premises or leaving an
17 animal by a public road or street. This section does not
18 apply to a person who transfers possession of the animal to a
19 person who accepts custody of the animal, or returns an animal
20 to its natural habitat. However, a person shall not transfer
21 an animal to an animal shelter or pound as defined in section
22 162.2, unless the person pays fees required by the animal
23 shelter or pound required to assume the animal's custody. A
24 person who violates this section is guilty of a serious
25 misdemeanor.

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EXPLANATION

27 This bill amends chapter 717 relating to the treatment of
28 animals. It provides definitions of terms used in the
29 chapter, including "abandon", "adequate shelter", "animal",
30 "necessary sustenance," "sufficient food", "sufficient water",
31 and "torture".

32 The bill also strikes a section relating to the abandonment
33 of cats and dogs, and provides for the abandonment of animals.
34 A person is required to transfer possession of an animal to
35 the custody of another person or to its natural habitat. A

1 person who transfers possession of an animal to a shelter or
2 pound must pay fees required by the shelter or pound. A
3 person in violation of this section is guilty of a serious
4 misdemeanor.

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