

LIFE SCIENCE PRODUCTS

10C.1 Definitions.

1. "*Actively engaged in farming*" means the same as defined in section 10.1.
2. "*Agricultural commodity*" includes but is not limited to livestock, crops, fiber, or food, such as vegetables, nuts, seeds, honey, eggs, or milk existing in an unprocessed state, which is produced on a farm and marketed for human or livestock consumption.
3. "*Agricultural land*" means land suitable for use in farming as defined in section 9H.1.
4. "*Animal*" means a creature belonging to the bovine, caprine, equine, ovine, or porcine species.
5. "*Corporation*" means a domestic or foreign corporation subject to chapter 490, a nonprofit corporation, or a cooperative.
6. "*Economic development board*" or "*board*" means the economic development board created pursuant to section 15.103.
7. "*Family farm entity*" means the same as defined in section 10.1.
8. "*Life science by-product*" means an agricultural commodity, other than a life science product, if the agricultural commodity derives from the production of a life science product and the agricultural commodity is not intended or used for human consumption.
9. "*Life science enterprise*" or "*enterprise*" means a corporation or limited liability company organized for the purpose of using biotechnological systems or techniques for the production of life science products.
10. "*Life science product*" or "*product*" means a product derived from an animal by using biotechnological systems or techniques and which includes only the following:
 - a. Embryos or oocytes for use in animal implantation.
 - b. Blood, milk, or urine for use in the manufacture of pharmaceuticals or nutraceuticals.
 - c. Cells, tissue, or organs for use in animal or human transplantation.
11. "*Limited liability company*" means a limited liability company as defined in section 490A.102.

2000 Acts, ch 1197, §2, 10; 2004 Acts, ch 1101, §10

10C.2 Purpose.

The purpose of this chapter is to promote economic growth in this state during this period of revolutionary technological advancement in animal and human health sciences, by providing for the development of industries unrelated to traditional farming, but devoted to the production of life science products derived from animals.

2000 Acts, ch 1197, §3, 10

10C.3 Life science enterprises agricultural land interests.

Notwithstanding any other provision of law, a life science enterprise may acquire or hold an ownership or leasehold interest in agricultural land if the economic development board approves a life science enterprise plan as provided in section 15.104. A life science enterprise must acquire or hold the agricultural land pursuant to the plan which may be amended as provided by the board. However, the life science enterprise shall not hold a total of more than three hundred twenty acres of agricultural land. The life science enterprise shall hold the land only for purposes of producing life science products according to the life science enterprise plan. In addition, the life science enterprise shall not acquire or hold agricultural land if the life science enterprise receives any form of financing from an Iowa agricultural industry finance corporation as provided in chapter 15E. A life science enterprise that complies with this section may hold the interest in the agricultural land, as provided in the plan, for as long as commercial sales of products produced from the agricultural land are subject to the following:

1. The sale of life science products.
2. The sale of cull livestock kept on the agricultural land, surplus commodities produced as feed for livestock kept on the agricultural land, or life science by-products.

2000 Acts, ch 1197, §4, 10

10C.4 Enforcement penalties.

1. The office of attorney general or a county attorney shall enforce the provisions of this chapter.
2. A life science enterprise violating this chapter shall be assessed a civil penalty of not more than twenty-five thousand dollars. Each day that a violation exists shall constitute a separate offense. In addition, the life science enterprise shall divest itself of any land held in violation of this chapter within one year after judgment. The court may determine the method of divesting an interest held by a life science enterprise found to be in violation of this chapter. A financial gain realized by the enterprise which disposes of an interest held in violation of this chapter shall be forfeited to the general fund of the state. All court costs and fees shall be paid by the enterprise holding the interest in violation of this chapter.
3. The courts of this state may prevent and restrain violations of this chapter through the issuance of an injunction. The attorney general or a county attorney shall institute suits on behalf of the state to prevent and restrain violations of this chapter.

2000 Acts, ch 1197, §5, 10

10C.5 Repeal.

Sections 10C.1 through 10C.4 and this section are repealed July 1, 2008.

2000 Acts, ch 1197, §6, 10; 2004 Acts, ch 1175, §218

10C.6 Existing life science enterprises.

This section applies on and after July 1, 2004.

1. *a.* A life science enterprise may acquire or hold agricultural land, notwithstanding section 10C.5, if all of the following apply:
 - (1) The life science enterprise acquires the agricultural land on or before June 30, 2008.
 - (2) The enterprise acquires or holds the agricultural land pursuant to chapter 10C.

(3) The economic development board has approved a life science enterprise plan filed on or before June 30, 2005, with the board. The enterprise must acquire or hold the agricultural land pursuant to the plan which may be amended at any time and approved by the board pursuant to section 15.104.

b. The life science enterprise must file a report with the secretary of state as provided in section 10B.4.

2. A person who is a successor in interest to a life science enterprise may acquire or hold agricultural land, notwithstanding section 10C.5, if all of the following apply:

a. The person meets the qualifications of a life science enterprise and acquires or holds the agricultural land as provided in chapter 10C.

b. The person acquires or holds the agricultural land according to the life science enterprise plan filed by the person's predecessor in interest and approved by the economic development board. The plan may be amended at any time and approved by the board pursuant to section 15.104.

c. The person has filed a notice with the economic development board as required by the board. The notice shall state that the person is a successor in interest. The notice must be filed with the board within thirty days following the person's acquisition of the interest.

d. The person must file a report as a life science enterprise with the secretary of state as provided in section 10B.4.

2000 Acts, ch 1197, §7, 10; 2004 Acts, ch 1175, §219, 220; 2005 Acts, ch 3, §47; 2005 Acts, ch 16, §24, 7