

717A.1 Definitions.

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

1. "Agricultural animal" means any of the following:
 - a. An animal that is maintained for its parts or products having commercial value, including but not limited to its muscle tissue, organs, fat, blood, manure, bones, milk, wool, hide, pelt, feathers, eggs, semen, embryos, or honey.
 - b. An animal belonging to the equine species, including horse, pony, mule, jenny, donkey, or hinny.
 2. "Agricultural production" means any activity related to maintaining an agricultural animal at an animal facility or a crop on crop operation property.
 3. "Agricultural production facility" means an animal facility as defined in subsection 5, paragraph "a", or a crop operation property.
 4. "Animal" means a warm-blooded or cold-blooded animal, including but not limited to an animal belonging to the bovine, canine, feline, equine, ovine, or porcine species; farm deer as defined in section 189A.2; ostriches, rheas, or emus; an animal which belongs to a species of poultry or fish; mink or other pelt-bearing mammals; any invertebrate; or honey bees.
 5. "Animal facility" means any of the following:
 - a. A location where an agricultural animal is maintained for agricultural production purposes, including but not limited to a location dedicated to farming as defined in section 9H.1, a livestock market, exhibition, or a vehicle used to transport the animal.
 - b. A location where an animal is maintained for educational or scientific purposes, including a research facility as defined in section 162.2, an exhibition, or a vehicle used to transport the animal.
 - c. A location operated by a person licensed to practice veterinary medicine pursuant to chapter 169.
 - d. A pound as defined in section 162.2.
 - e. An animal shelter as defined in section 162.2.
 - f. A pet shop as defined in section 162.2.
 - g. A boarding kennel as defined in section 162.2.
 - h. A commercial kennel as defined in section 162.2.
 6. "Consent" means express or apparent assent by a person authorized to provide such assent.
 7. "Crop" means any plant maintained for its parts or products having commercial value, including but not limited to stalks, trunks and branches, cuttings, grafts, scions, leaves, buds, fruit, vegetables, roots, bulbs, or seeds, if the plant is any of the following:
 - (1) A plant produced from an agricultural seed or vegetable seed as defined in section 199.1, including any plant producing a commodity listed in section 210.10.
 - (2) A plant which is a tree, shrub, vine, berry plant, greenhouse plant, or flower.
 - b. A plant produced from a noxious weed seed as defined in section 199.1 is not a crop unless the plant is produced as a research crop.
 8. "Crop operation" means a commercial enterprise where a crop is maintained on the property of the commercial enterprise.
 9. "Crop operation property" means any of the following:
 - a. Real property that is a crop field, orchard, nursery, greenhouse, garden, elevator, seedhouse, barn, warehouse, any other associated land or structures located on the land, and personal property located on the land including machinery or equipment, that is part of a crop operation.
 - b. A vehicle used to transport a crop that was maintained on the crop operation property.
 10. "Deprive" means to do any of the following:
 - a. For an animal maintained at an animal facility or property belonging to an animal facility, "deprive" means to do any of the following:
 - (1) Withhold the animal or property for a period of time sufficient to significantly reduce the value or enjoyment of the animal or property.
 - (2) Withhold the animal or property for ransom or upon condition to restore the animal or property in return for compensation.

(3) Dispose of the animal or property in a manner that makes recovery of the animal or property by its owner unlikely.

b. For crops maintained on crop operation property or for crop operation property, “*deprive*” means to do any of the following:

(1) Occupy any part of a crop operation property for a period of time sufficient to prevent access to the crop or crop operation property.

(2) Dispose of a crop maintained on the crop operation property or belonging to the crop operation in a manner that makes recovery of the crop or crop operation property by its owner unlikely.

11. “*Maintain*” means to do any of the following:

a. Keep and provide for the care and feeding of any animal, including any activity relating to confining, handling, breeding, transporting, or exhibiting the animal.

b. Keep and preserve any crop by planting, nurturing, harvesting, and storing the crop; or storing, planting, or nurturing the crop’s seed.

12. “*Owner*” means any of the following:

a. A person, including a public or private entity, who has a legal interest in an animal or property belonging to an animal facility or who is authorized by the holder of the legal interest to act on the holder’s behalf in maintaining the animal.

b. A person, including a public or private entity, who has a legal interest in a crop or crop operation property or who is authorized by the holder of the legal interest to act on the holder’s behalf in maintaining the crop.

13. “*Research crop*” means a crop, including the crop’s seed, that is maintained for purposes of scientific research regarding the study or alteration of the genetic characteristics of a plant or associated seed, including its deoxyribonucleic acid, which is accomplished by breeding or by using biotechnological systems or techniques.

2001 Acts, ch 120, §1; 2008 Acts, ch 1058, §19; 2012 Acts, ch 1005, §1, 3

Referred to in §163.3A, 455B.171, 717F.1

[T] NEW subsection 3 and former subsections 3 – 12 renumbered as 4 – 13