# CHAPTER 717D

## ANIMAL CONTEST EVENTS

Referred to in §165B.2, 331.307, 364.22, 701.1, 717F.4


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**717D.1 Definitions.**

As used in this chapter:

1. *"Animal"* means a nonhuman vertebrate.

2. *"Contest device"* means equipment designed to enhance an animal's entertainment value during training or a contest event, including a device to improve the contest animal's competitiveness. A contest device includes but is not limited to an implement designed to be attached in place of a natural spur of a cock or other fighting bird in order to enhance the bird's fighting ability, and which is commonly referred to as a spur or gaff.

3. *"Contest event"* means a function organized for the entertainment or profit of spectators where an animal is injured, tormented, or killed, including but not limited to a bull involved in a bullfight or bull baiting, a bear involved in bear baiting, a chicken involved in cock fighting, or a dog involved in dog fighting.

4. *"Establishment"* means the location where a contest event occurs or is to occur, regardless of whether an animal is present at the establishment or the contest animal is witnessed by means of an electronic signal transmitted to the location.

5. *"Livestock"* means the same as defined in section 717.1.

6. *"Local authority"* means the same as defined in section 717B.1.

7. *"Promoter"* means a person who charges admission for entry into an establishment or organizes, holds, advertises, or otherwise conducts a contest event.

8. *"Spectator"* means a person who attends an establishment knowingly to watch or observe a contest event.

9. *"Trainer"* means a person who trains an animal for purposes of engaging in a contest event, regardless of where the contest event is located. A trainer includes a person who uses a contest device.

10. *"Transporter"* means a person who moves an animal for delivery to a training location or a contest event location.

2002 Acts, ch 1130, §5; 2003 Acts, ch 108, §114; 2004 Acts, ch 1056, §3, 4, 10; 2008 Acts, ch 1135, §1

**717D.2 Prohibitions — contest events.**

A person shall not do any of the following:

1. Own or operate an establishment located in this state in which a contest event occurs or is to occur.

2. Act as a promoter of a contest event, regardless of whether the contest event occurs in this state or another state. For purposes of this subsection, a person who aids, abets, or assists in the promotion of a contest event shall be deemed to act as a promoter.

3. Possess or own an animal engaged or to be engaged in a contest event conducted in this state or another state.

4. Be a party to a commercial transaction for the transfer of an animal engaged or to be engaged in a contest event conducted in this state or another state, including but not limited to a transaction by purchase or sale, barter, trade, or an offer involving such a transaction.

5. Act as a trainer of an animal engaged or to be engaged in a contest event conducted in this state or another state. For purposes of this subsection, a person who aids, abets, or assists in the training of an animal engaged or to be engaged in a contest event shall be deemed to act as a trainer.

6. Possess, own, or manufacture a contest device.

7. Be a party to a commercial transaction for the transfer of a contest device, including

but not limited to a transaction by purchase or sale, barter, trade, or an offer involving such a transaction.

8. Act as a transporter moving an animal engaged or to be engaged in a contest event in this state.

9. Gambling at a contest event conducted in this state, including but not limited to wagering on the outcome of a contest involving animals.

10. Act as a spectator of a contest event conducted in this state, regardless of whether the person paid admission to witness the contest event.

2002 Acts, ch 1130, §6; 2004 Acts, ch 1056, §5, 6, 10; 2008 Acts, ch 1135, §2
Referred to in §717D.4, 717D.5

**717D.3 Exceptions.**

1. This chapter does not apply to a function other than a contest event. A contest event does not involve any of the following events:

*a.* A race, including but not limited to a race regulated under chapter 99D.

*b.* A fair event as defined in section 174.1.

*c.* A rodeo or rodeo event.

*d.* A 4-H function.

*e.* A hunting or fishing party.

*f.* A field meet or trial in which the skill of dogs is demonstrated in pointing, retrieving, trailing, or chasing any game bird, game animal, or fur-bearing animal.

*g.* The raising or selling of game or fur-bearing animals as provided in chapter 481A.

2. This chapter shall not apply to any of the following:

*a.* An action to carry out an order issued by a court.

*b.* An action by a licensed veterinarian practicing veterinary medicine as provided in chapter 169.

*c.* An action that is consistent with animal husbandry practices.

*d.* An action allowed in order to carry out another provision of law which allows the action.

*e.* The taking, hunting, trapping, or fishing for a wild animal as provided in chapter 481A.

*f.* An action to protect the person's property from a wild animal as defined in section 481A.1.

*g.* An action to protect a person from injury or death caused by a wild animal as defined in section 481A.1.

*h.* A person reasonably acting to protect the person's property from damage caused by an unconfined animal.

*i.* A person reasonably acting to protect a person from injury or death caused by an unconfined animal.

*j.* A local authority reasonably acting to destroy an animal if, at the time of the destruction, the owner of the animal is absent or unable to care for the animal, and the animal is permanently distressed by disease or injury to a degree that would result in severe and prolonged suffering.

*k.* A research facility, as defined in section 162.2, provided that the research facility performs functions within the scope of accepted practices and disciplines associated with the research facility.

2002 Acts, ch 1130, §7; 2004 Acts, ch 1019, §31; 2008 Acts, ch 1058, §23

**717D.4 Penalties.**

1. Except as provided in section 717D.2, subsection 10, a person who violates a provision of this chapter commits a class "D" felony.

2. A person who violates section 717D.2, subsection 10, by acting as a spectator of a contest event conducted in this state commits the following:

*a.* An aggravated misdemeanor for the first offense.

*b.* A class "D" felony for a second or subsequent offense.

2002 Acts, ch 1130, §8; 2004 Acts, ch 1056, §7, 10; 2008 Acts, ch 1135, §3

**717D.5 Confiscation and disposition of animals.**

1. A local authority may confiscate an animal that is involved in a violation of section 717D.2. An animal that is livestock shall be considered neglected and may be rescued and disposed of as provided in section 717.5. An animal which is not livestock shall be considered threatened and rescued and disposed of as provided in section 717B.4.

2. If an animal that is involved in a violation of section 717D.2 is not rescued and disposed of pursuant to section 717.5 or 717B.4, it shall be forfeited to the state and subject to disposition as ordered by the court. In addition, the court shall order the owner of the animal to pay an amount which shall not be more than the expenses incurred in maintaining or disposing of the animal. The court may also order that the person pay reasonable attorney fees and expenses related to the investigation of the case that shall be taxed as other court costs. If more than one person has a divisible interest in the animal, the amount required to be paid shall be prorated based on the percentage of interest in the animal owned by each person. The moneys shall be paid to the local authority incurring the expense. The amount shall be subtracted from proceeds which are received from the sale of the animal ordered by the court.

2002 Acts, ch 1130, §9; 2004 Acts, ch 1056, §8, 10