

House Amendment 1744

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1 1 Amend Senate File 564, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 1, by inserting before line 1 the
1 4 following:
1 5 <Section 1. Section 163.2, Code 2007, is amended
1 6 by adding the following new subsections:
1 7 NEW SUBSECTION. 2A. "Custody or control" means to
1 8 keep an animal in an enclosed or confined location, in
1 9 a manner that prevents the release or escape of the
1 10 animal from the location including but not limited to
1 11 keeping the animal for breeding, growing, movement, or
1 12 harvesting.
1 13 NEW SUBSECTION. 3A. "Estray" means not to be in
1 14 the custody or control of a person.
1 15 NEW SUBSECTION. 3B. "Game swine" means the same
1 16 as defined in section 171.1.
1 17 Sec. 2. Section 163.30, subsection 5, unnumbered
1 18 paragraph 1, Code 2007, is amended to read as follows:
1 19 All swine moved shall be accompanied by a
1 20 certificate of veterinary inspection issued by the
1 21 state of origin and prepared and signed by a
1 22 veterinarian. The certificate shall show the point of
1 23 origin, the point of destination, individual
1 24 identification, immunization status, and, when
1 25 required, any movement permit number assigned to the
1 26 shipment by the department. The certificate of
1 27 veterinary inspection shall state whether the swine
1 28 are game swine, and shall provide any registration
1 29 information as required by section 171.4. All such
1 30 movement of swine shall be completed within
1 31 seventy-two hours unless an extension of time for
1 32 movement is granted by the department.
1 33 Sec. 3. NEW SECTION. 163.32 ESTRAY SWINE.
1 34 1. a. Except as provided in subsection 2, a
1 35 person shall not take swine which is estray in this
1 36 state, by capture, wounding, or killing the swine.
1 37 b. A person who captures swine which is estray in
1 38 another state shall not move that swine into this
1 39 state.
1 40 2. The department, or the department in
1 41 cooperation with the department of natural resources,
1 42 or a person authorized by the department of
1 43 agriculture and land stewardship may take swine which
1 44 is estray in this state, by capture, wounding, or
1 45 killing the swine.
1 46 Sec. 4. NEW SECTION. 163.61A PENALTY AND
1 47 DISCIPLINARY ACTION FOR TAKING ESTRAY SWINE.
1 48 1. A person who violates section 163.32 is guilty
1 49 of an aggravated misdemeanor. A person is guilty of a
1 50 separate offense for each swine which is the subject
2 1 of the violation.
2 2 2. Upon a person's conviction for violating
2 3 section 163.32, the sentencing court may, as part of
2 4 the judgment, revoke or suspend a license issued
2 5 pursuant to chapter 481A or 483A for a definite period
2 6 of time.
2 7 Sec. 5. NEW SECTION. 171.1 DEFINITIONS.
2 8 As used in this chapter, unless the context
2 9 otherwise requires:
2 10 1. "Custody or control" means the same as defined
2 11 in section 163.2.
2 12 2. "Department" means the department of
2 13 agriculture and land stewardship.
2 14 3. "Game swine" means swine that are classified as
2 15 part of the species *sus scrofa linnaeus* which may be
2 16 commonly known as Russian boar or European boar of
2 17 either sex.
2 18 4. "Swine" means an animal belonging to the order
2 19 artiodactyla, and classified as part of the family
2 20 suidae.
2 21 Sec. 6. NEW SECTION. 171.2 RULES.
2 22 The department may adopt rules pursuant to chapter
2 23 17A as necessary to administer this chapter.
2 24 Sec. 7. NEW SECTION. 171.3 IDENTIFICATION.

2 25 A person who has custody or control of game swine
2 26 shall identify the game swine as required by the
2 27 department. Game swine shall at least be identified
2 28 with a numbered metal ear tag affixed to the game
2 29 swine or other method such as installing an electronic
2 30 device onto or beneath the hide of the game swine as
2 31 prescribed by the department. The game swine must be
2 32 identified within ten days following the person's
2 33 acquisition of the game swine, including acquisition
2 34 by transfer or birth.

2 35 Sec. 8. NEW SECTION. 171.4 GAME SWINE
2 36 REGISTRATION SYSTEM.

2 37 The department of agriculture and land stewardship
2 38 shall establish a game swine registration system, in
2 39 cooperation with the department of natural resources.

2 40 1. A person who has custody or control of a game
2 41 swine shall register the game swine within ten days
2 42 following the person's acquisition of the game swine,
2 43 including acquisition by transfer or birth.

2 44 2. The person required to register game swine as
2 45 provided in this section shall provide information
2 46 required by the department which shall at least
2 47 include all of the following:

2 48 a. The number, age, and description of the game
2 49 swine, including its identification number as provided
2 50 in section 171.3.

3 1 b. The location where the person maintains custody
3 2 or control of the game swine.

3 3 c. The purpose of the person in maintaining
3 4 custody or control of the game swine.

3 5 d. Whether the person has been issued a hunting
3 6 preserve operator's license as required in chapter
3 7 484B.

3 8 3. The department shall to every extent feasible
3 9 provide for registration using the internet, including
3 10 programming, necessary to ensure the convenience,
3 11 completeness, and accuracy of the registrations.

3 12 Sec. 9. NEW SECTION. 171.5 HEALTH REQUIREMENTS.

3 13 Game swine shall be free of an infectious or
3 14 contagious disease as defined in section 163.2. The
3 15 department shall regulate game swine as any other
3 16 swine for purposes of preventing, suppressing, and
3 17 eradicating an infectious or contagious disease
3 18 afflicting swine within the state.

3 19 Sec. 10. NEW SECTION. 171.6 PENALTY.

3 20 A person who violates section 171.3 or 171.4 is
3 21 subject to a civil penalty of not more than one
3 22 hundred dollars. Penalty moneys shall be deposited
3 23 into the general fund of the state.

3 24 Sec. 11. Section 484B.1, Code 2007, is amended by
3 25 adding the following new subsection:

3 26 NEW SUBSECTION. 4A. "Game swine" means the same
3 27 as defined in section 171.1.

3 28 Sec. 12. NEW SECTION. 484B.12A HEALTH AND
3 29 MOVEMENT REQUIREMENTS == GAME SWINE.

3 30 1. All game swine which are purchased, propagated,
3 31 confined, released, or sold by a hunting preserve
3 32 required to be licensed under this chapter shall be
3 33 free of diseases considered significant for wildlife,
3 34 poultry, or livestock. The department of agriculture
3 35 and land stewardship shall provide for the regulation
3 36 of game swine as any other swine for purposes of
3 37 preventing, suppressing, and eradicating an infectious
3 38 or contagious disease afflicting swine within the
3 39 state.

3 40 2. Game swine that are purchased, propagated,
3 41 confined, or sold by a hunting preserve shall only be
3 42 moved in accordance with rules adopted or orders
3 43 issued by the department of agriculture and land
3 44 stewardship.

3 45 Sec. 13. IDENTIFICATION AND REGISTRATION ==
3 46 COMPLIANCE PERIOD. Notwithstanding sections 171.3 and
3 47 171.4, a person required to identify game swine and
3 48 register game swine shall have until September 1,
3 49 2007, to comply with those sections.>

3 50 #2. Page 14, by inserting after line 31, the
4 1 following:

4 2 <Sec. _____. EFFECTIVE DATE. The sections of the
4 3 Act enacting Chapter 717F, being deemed of immediate
4 4 importance, takes effect upon enactment.>

4 5 #3. Title page, line 3, by inserting after the

4 6 word <penalties> the following: <and an effective
4 7 date>.
4 8 [#4.](#) By renumbering as necessary.
4 9
4 10
4 11 _____
4 12 WHITAKER of Van Buren
4 13 SF 564.304 82
4 14 da/cf/9210