

Senate Amendment to
House File 589

H-8063

1 Amend House File 589, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:
5 <Section 1. Section 717A.1, Code 2011, is amended
6 by adding the following new subsection:
7 NEW SUBSECTION. 2A. "Agricultural production
8 facility" means an animal facility as defined in
9 subsection 4, paragraph "a", or a crop operation
10 property.
11 Sec. 2. NEW SECTION. 717A.3A Agricultural
12 production facility fraud.
13 1. A person is guilty of agricultural production
14 facility fraud if the person willfully does any of the
15 following:
16 a. Obtains access to an agricultural production
17 facility by false pretenses.
18 b. Makes a false statement or representation as
19 part of an application or agreement to be employed
20 at an agricultural production facility, if the
21 person knows the statement to be false, and makes
22 the statement with an intent to commit an act not
23 authorized by the owner of the agricultural production
24 facility, knowing that the act is not authorized.
25 2. A person who commits agricultural production
26 facility fraud under subsection 1 is guilty of the
27 following:
28 a. For the first conviction, a serious misdemeanor.
29 b. For a second or subsequent conviction, an
30 aggravated misdemeanor.
31 3. a. A person who conspires to commit
32 agricultural production facility fraud under subsection
33 1 is subject to the provisions of chapter 706. A
34 person who aids and abets in the commission of
35 agricultural production facility fraud under subsection
36 1 is subject to the provisions of chapter 703. When
37 two or more persons, acting in concert, knowingly
38 participate in committing agricultural production
39 facility fraud under subsection 1, each person is
40 responsible for the acts of the other person as
41 provided in section 703.2. A person who has knowledge
42 that agricultural production facility fraud under
43 subsection 1 has been committed and that a certain
44 person committed it, and who does not stand in the
45 relation of husband or wife to the person committing
46 the agricultural production facility fraud under
47 subsection 1, and who harbors, aids, or conceals
48 the person committing the agricultural production
49 facility fraud under subsection 1, with the intent to
50 prevent the apprehension of the person committing the

1 agricultural production facility fraud under subsection
2 1, is subject to section 703.3.

3 *b.* A trial information or an indictment relating to
4 agricultural production facility fraud under subsection
5 1 need not contain allegations of vicarious liability
6 as provided in chapter 703.

7 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being
8 deemed of immediate importance, takes effect upon
9 enactment.>

10 2. Title page, line 1, by striking <offenses> and
11 inserting <an offense>

12 3. Title page, line 2, by striking <penalties and
13 remedies> and inserting <penalties, and including
14 effective date provisions>