

Senate Amendment to
House File 737

H-8084

- 1 Amend House File 737, as passed by the House, as follows:
- 2 1. Page 2, line 6, by striking <2019> and inserting <2020>
- 3 2. Page 2, line 10, by striking <2019> and inserting <2020>
- 4 3. Page 3, line 12, by striking <2019> and inserting <2020>
- 5 4. Page 3, lines 33 and 34, by striking <practicing
- 6 ~~veterinary medicine as provided in chapter 169~~> and inserting
- 7 <practicing veterinary medicine as provided in chapter 169>
- 8 5. Page 4, line 18, after <issued> by inserting <or renewed>
- 9 6. Page 5, line 9, by striking <2019> and inserting <2020>
- 10 7. Page 6, by striking lines 16 through 21 and inserting:
- 11 <2. **This section** does not apply to a any of the following:
- 12 a. A person issued or renewed an authorization to operate
- 13 a commercial establishment, or a person acting under the
- 14 direction or supervision of that person, if all of the
- 15 following apply:
- 16 (1) The animal, as described in subsection 1, was maintained
- 17 as part of the commercial establishment's operation.
- 18 (2) In providing conditions for the welfare of the animal,
- 19 as described in subsection 1, the person complied with the
- 20 standard of care requirements provided in section 162.10A,
- 21 subsection 1, including any applicable rules adopted by the
- 22 department applying to any of the following:
- 23 (a) A state licensee or registrant operating pursuant to
- 24 section 162.10A, subsection 2, paragraph "a" or "b".
- 25 (b) A permittee operating pursuant to section 162.10A,
- 26 subsection 2, paragraph "c".
- 27 b. A research facility, as defined in **section 162.2,**
- 28 provided that if the research facility has been issued or
- 29 renewed a valid authorization by the department pursuant
- 30 to chapter 162, and performs functions within the scope of
- 31 accepted practices and disciplines associated with the research
- 32 facility.>
- 33 8. Page 7, line 9, by striking <2019> and inserting <2020>
- 34 9. Page 7, lines 20 and 21, by striking <practicing
- 35 ~~veterinary medicine as provided in chapter 169~~> and inserting

1 <practicing veterinary medicine as provided in chapter 169>
2 10. Page 8, line 10, after <issued> by inserting <or
3 renewed>
4 11. Page 9, by striking lines 9 and 10 and inserting:
5 <4. a. A person who commits animal torture is guilty of an
6 aggravated misdemeanor.>
7 12. Page 9, line 11, by striking <5.> and inserting <b.>
8 13. Page 9, line 11, by striking <subsection 4> and
9 inserting <paragraph "a">
10 14. Page 9, line 12, by striking <"C"> and inserting <"D">
11 15. Page 9, after line 19 by inserting:
12 <c. (1) A person convicted of animal torture shall also
13 be sentenced, in addition to any other punishment provided
14 by law, to an additional term of confinement committing the
15 person into the custody of the director of the department of
16 corrections for a period of not less than one year but not more
17 than three years as determined by the court, with eligibility
18 for parole as provided in chapter 906. The board of parole
19 shall determine whether the person should be released on parole
20 or placed in a work release program. The additional term of
21 confinement imposed under this paragraph shall commence upon
22 completion of the sentence imposed under paragraph "a" or "b",
23 or any other applicable criminal sentencing provisions for
24 the underlying criminal offense, and the person shall begin
25 the additional term of confinement under supervision as if on
26 parole or work release. The person shall be placed on the
27 corrections continuum described in chapter 901B, and the terms
28 and conditions of the additional term of confinement, including
29 any violations, shall be subject to the same procedures set
30 forth in chapters 901B, 905, 906, and 908, and rules adopted
31 under those chapters for persons on parole or work release.
32 (2) The revocation of parole or work release may be
33 for a period of up to six months upon a first revocation,
34 and up to one year upon a second or subsequent revocation.
35 Notwithstanding section 903.4, the place of confinement after

1 any revocation shall be at a correctional institution or
2 facility.>

3 16. Page 10, line 10, by striking <2019> and inserting
4 <2020>

5 17. Page 10, line 22, after <issued> by inserting <or
6 renewed>

7 18. Page 11, after line 2 by inserting:

8 <Sec. _____. Section 901.5, Code 2020, is amended by adding
9 the following new subsection:

10 NEW SUBSECTION. 14. In addition to any other sentence or
11 other penalty imposed against the defendant, the court shall
12 impose an additional term of confinement if required under
13 section 717B.3A, subsection 4.

14 Sec. _____. Section 902.12, Code 2020, is amended by adding
15 the following new subsection:

16 NEW SUBSECTION. 6. A person serving a sentence for a
17 conviction for animal torture in violation of section 717B.3A
18 that occurs on or after July 1, 2020, shall be denied parole or
19 work release until the person has served seven-tenths of the
20 maximum term of the person's sentence.

21 Sec. _____. Section 907.3, subsection 1, paragraph a, Code
22 2020, is amended by adding the following new subparagraph:

23 NEW SUBPARAGRAPH. (15) The offense is a violation of
24 section 717B.3A.

25 Sec. _____. Section 907.3, subsection 2, paragraph a, Code
26 2020, is amended by adding the following new subparagraph:

27 NEW SUBPARAGRAPH. (9) The offense is a violation of section
28 717B.3A.

29 Sec. _____. Section 907.3, subsection 3, Code 2020, is amended
30 by adding the following new paragraph:

31 NEW PARAGRAPH. h. The offense is a violation of section
32 717B.3A.>

33 19. By renumbering as necessary.