

# House File 2352

PAG LIN

HOUSE FILE 2352

1 1  
1 2  
1 3 AN ACT  
1 4 RELATING TO THE APPOINTMENT OF ILLEGAL DUMPING ENFORCEMENT  
1 5 OFFICERS AND PROVIDING A PENALTY.  
1 6  
1 7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
1 8  
1 9 Section 1. NEW SECTION. 455B.307B ILLEGAL DUMPING  
1 10 ENFORCEMENT OFFICER.  
1 11 1. For purposes of this section, "officer" means the  
1 12 illegal dumping enforcement officer in a county.  
1 13 2. The board of supervisors of each county may annually  
1 14 appoint an illegal dumping enforcement officer for the county.  
1 15 The board of supervisors may appoint the officer from  
1 16 recommendations by the county board of health or may select a  
1 17 person outside the recommendations made by the county board of  
1 18 health. The board of supervisors shall appoint a person who  
1 19 is a citizen of the United States, is of good moral character,  
1 20 and has not previously been convicted of a felony.  
1 21 3. An illegal dumping enforcement officer shall take an  
1 22 oath of office prescribed by the board of supervisors. An  
1 23 officer's appointment shall be effective March 1 and shall  
1 24 continue for a term at the discretion of the board of  
1 25 supervisors.  
1 26 4. An illegal dumping enforcement officer, subject to  
1 27 direction and control by the county board of supervisors,  
1 28 shall only be empowered to enforce the provisions of sections  
1 29 455B.307A and 455B.363 and local littering ordinances. An  
1 30 officer shall not have the duty to enforce any other traffic  
1 31 or criminal laws of the state, county, or a municipality. An  
1 32 officer may enter upon any public land in the county,  
1 33 excluding land within the limits of cities, unless otherwise  
1 34 authorized by a city, and any private property with the  
1 35 permission of the landowner at any time for the performance of  
2 1 the officer's duties, and may hire the labor and equipment  
2 2 necessary subject to the approval of the board of supervisors.  
2 3 5. A person shall not willfully obstruct, resist, impede,  
2 4 or interfere with an illegal dumping enforcement officer in  
2 5 connection with the officer's enforcement of sections  
2 6 455B.307A and 455B.363 and local littering ordinances. A  
2 7 person shall not willfully retaliate or discriminate in any  
2 8 manner against an officer as a reprisal for any act or  
2 9 omission of the officer. A person violating this subsection  
2 10 is guilty of a simple misdemeanor.

2 11  
2 12  
2 13  
2 14 \_\_\_\_\_  
2 15 CHRISTOPHER C. RANTS  
2 16 Speaker of the House

2 17  
2 18  
2 19 \_\_\_\_\_  
2 20 JEFFREY M. LAMBERTI  
2 21 President of the Senate

2 22 I hereby certify that this bill originated in the House and  
2 23 is known as House File 2352, Eightieth General Assembly.

2 24  
2 25  
2 26  
2 27 \_\_\_\_\_  
2 28 MARGARET THOMSON  
2 29 Chief Clerk of the House

2 29 Approved \_\_\_\_\_, 2004

2 30  
2 31  
2 32 \_\_\_\_\_  
2 33 THOMAS J. VILSACK  
2 34 Governor