

House File 765 - Enrolled

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HOUSE FILE 765

AN ACT

RELATING TO ANIMAL FEEDING OPERATIONS, BY PROVIDING FOR THE ENFORCEMENT OF REGULATORY PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 455B.175, unnumbered paragraph 1, Code 2007, is amended to read as follows:

If there is substantial evidence that any person has violated or is violating any provision of this part of this division or chapter 459, subchapter III, chapter 459A, or of any rule or standard established or permit issued pursuant thereto; then:

Sec. 2. Section 459.103, subsection 3, Code 2007, is amended by striking the subsection.

Sec. 3. Section 459.601, Code 2007, is amended by adding the following new subsection:

NEW SUBSECTION. 1A. a. The department and the attorney general shall enforce the provisions of this chapter in the same manner as provided in chapter 455B, division I.

b. The department and the attorney general may enforce the provisions of subchapter III in the same manner as provided in section 455B.175.

Sec. 4. Section 459.603, Code 2007, is amended to read as follows:

459.603 WATER QUALITY VIOLATIONS == CIVIL PENALTY.

A person who violates subchapter III shall be subject to a civil penalty which shall be established, assessed, and collected in the same manner as provided in section 455B.109 or 455B.191. Any civil penalty collected shall be deposited in the animal agriculture compliance fund created in section 459.401.

Sec. 5. Section 459A.501, Code 2007, is amended to read as follows:

459A.501 GENERAL.

The department and the attorney general shall enforce the provisions of this chapter in the same manner as provided in chapter 455B, division I and section 455B.175, unless otherwise provided in this chapter.

PATRICK J. MURPHY
Speaker of the House

JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 765, Eighty-second General Assembly.

MARK BRANDSGARD
Chief Clerk of the House

Approved _____, 2007

CHESTER J. CULVER
Governor