



TERRY E. BRANSTAD
GOVERNOR

OFFICE OF THE GOVERNOR

KIM REYNOLDS
LT. GOVERNOR

March 2, 2012

The Honorable Matt Schultz
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

House File 589, an Act relating to an offense involving agricultural operations, and providing penalties, and including effective date provisions.

The above Senate File is hereby approved this date.

Sincerely,

Handwritten signature of Terry E. Branstad in black ink.

Terry E. Branstad
Governor

cc: Secretary of the Senate
Clerk of the House



House File 589

AN ACT

RELATING TO AN OFFENSE INVOLVING AGRICULTURAL OPERATIONS,
AND PROVIDING PENALTIES, AND INCLUDING EFFECTIVE DATE
PROVISIONS.

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

Section 1. Section 717A.1, Code 2011, is amended by adding the following new subsection:

NEW SUBSECTION. 2A. "*Agricultural production facility*" means an animal facility as defined in subsection 4, paragraph "a", or a crop operation property.

Sec. 2. NEW SECTION. 717A.3A Agricultural production facility fraud.

1. A person is guilty of agricultural production facility fraud if the person willfully does any of the following:
 - a. Obtains access to an agricultural production facility by false pretenses.
 - b. Makes a false statement or representation as part of an application or agreement to be employed at an agricultural production facility, if the person knows the statement to be false, and makes the statement with an intent to commit an act not authorized by the owner of the agricultural production facility, knowing that the act is not authorized.
2. A person who commits agricultural production facility fraud under subsection 1 is guilty of the following:
 - a. For the first conviction, a serious misdemeanor.
 - b. For a second or subsequent conviction, an aggravated misdemeanor.
3. a. A person who conspires to commit agricultural production facility fraud under subsection 1 is subject to the provisions of chapter 706. A person who aids and abets in the

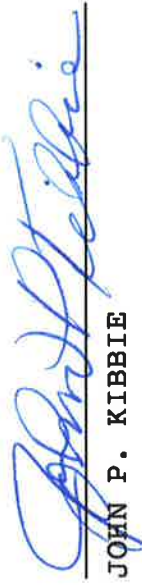
commission of agricultural production facility fraud under subsection 1 is subject to the provisions of chapter 703. When two or more persons, acting in concert, knowingly participate in committing agricultural production facility fraud under subsection 1, each person is responsible for the acts of the other person as provided in section 703.2. A person who has knowledge that agricultural production facility fraud under subsection 1 has been committed and that a certain person committed it, and who does not stand in the relation of husband or wife to the person committing the agricultural production facility fraud under subsection 1, and who harbors, aids, or conceals the person committing the agricultural production facility fraud under subsection 1, with the intent to prevent the apprehension of the person committing the agricultural production facility fraud under subsection 1, is subject to section 703.3.

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

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


KRAIG PAULSEN

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 589, Eighty-fourth General Assembly.


W. CHARLES SMITHSON

Chief Clerk of the House

Approved March 2, 2012


TERRY E. BRANSTAD

Governor