

House File 655 - Enrolled

House File 655

AN ACT
PROHIBITING INTERFERENCE WITH THE TRANSPORTATION OF AN
AGRICULTURAL ANIMAL, AND PROVIDING PENALTIES.

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

Section 1. NEW SECTION. 716.13 **Interference with
transportation of agricultural animals.**

1. As used in this section, unless the context otherwise
requires:

a. "Agricultural animal" means an animal belonging to
the bovine, caprine, equine, ovine, or porcine species; farm
deer as defined in section 170.1; ostriches, rheas, and emus;
turkeys, chickens, domestic geese or ducks, or other domestic
fowl; fish or other aquatic organisms confined in private
waters for human consumption; or honey bees.

b. (1) "Convicted" means the entry of a judgment of
conviction under chapter 901 or adjudicated delinquent for an
act which is an indictable offense in this state or in another
state under chapter 232.

(2) "*Convicted*" does not mean a plea, sentence, adjudication, deferred sentence, or deferred judgment which has been reversed or otherwise set aside.

c. "*Motor vehicle*" means any self-propelled vehicle subject to registration under chapter 321, and includes an item attached to the vehicle.

2. A person commits interference with the transportation of an agricultural animal if the person knowingly does any of the following:

a. Stops, hinders, impedes, boards, obstructs, or otherwise interferes with a motor vehicle transporting an agricultural animal, regardless of whether the motor vehicle is moving.

b. Provokes, disturbs, or otherwise interacts with an agricultural animal when the agricultural animal is confined in a motor vehicle, regardless of whether the motor vehicle is moving.

3. In a prosecution alleging that a defendant committed interference with the transportation of an agricultural animal under subsection 2, the defendant may assert an affirmative defense of consent. The defendant must prove by a preponderance of the evidence that the defendant was acting with the consent of any of the following:

a. A person having real or apparent authority to transport the agricultural animal. This requirement is met if the person is a shipper or transporter acting in compliance with chapter 172B.

b. The owner of the agricultural animal or any other person having real or apparent authority to possess or control the agricultural animal.

4. *a.* A person who commits interference with the transportation of an agricultural animal, as provided in subsection 2, paragraph "*a*", is guilty of an aggravated misdemeanor.

b. A person who commits interference with the transportation of an agricultural animal, as provided in subsection 2, paragraph "*b*", is guilty of an aggravated misdemeanor.

5. Notwithstanding subsection 4, a person who commits interference with the transportation of an agricultural animal under subsection 2, paragraph "*a*" or "*b*", is guilty of a

class "D" felony if the person has previously been convicted of committing interference with the transportation of an agricultural animal under either of those paragraphs.

PAT GRASSLEY
Speaker of the House

JAKE CHAPMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 655, Eighty-ninth General Assembly.

MEGHAN NELSON
Chief Clerk of the House

Approved _____, 2021

KIM REYNOLDS
Governor