

2/14/96 Do Pass  
3/25/96 Referred to Judiciary

JAN 8 1996  
JUDICIARY

HOUSE FILE **2003**  
BY KREMER

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the definition of criminal trespass in  
2 nonmeandered, navigable streams.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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**HOUSE FILE 2003**

**H-5100**

1 Amend House File 2003 as follows:  
2 1. Page 1, by inserting before line 1 the  
3 following:  
4 "Section 1. Section 462A.2, subsection 16, Code  
5 1995, is amended to read as follows:  
6 16. "Navigable waters" means all lakes, rivers and  
7 streams, which can support a vessel capable of  
8 carrying one or more persons during a total of six  
9 months period in one nine out of every ten years."  
10 2. Title page, line 1, by striking the words "the  
11 definition of".  
12 3. By renumbering as necessary.

**HF 2003**

By KREMER of Buchanan  
H-5100 FILED FEBRUARY 21, 1996

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1 Section 1. Section 716.7, subsection 4, Code 1995, is  
2 amended to read as follows:

3 4. The term "trespass" does not mean the any of the  
4 following:

5 a. The entering upon the right-of-way of a public road or  
6 highway.

7 b. The entering into a nonmeandered, navigable stream to  
8 wade or fish if the use is within the same rights, duties,  
9 limitations, and regulations that apply to the use of  
10 meandered streams, or other streams deemed navigable for  
11 commercial purposes and the reasonable use of the land lying  
12 under the flowing water by its owner as provided in section  
13 462A.69.

14 EXPLANATION

15 This bill provides that the definition of criminal trespass  
16 does not include the use of a nonmeandered, navigable stream  
17 by a person to wade or fish, but the use is subject to the  
18 same rights, duties, limitations, and regulations that apply  
19 to the use of meandered streams, or other streams deemed  
20 navigable for commercial purposes and the reasonable use of  
21 the land lying under the flowing surface water by its owner.

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