

FEB 21 1997

Agriculture

HOUSE FILE 326  
BY SUKUP, GRUNDBERG, DIX,  
GARMAN, ARNOLD, KOENIGS,  
DREES, and WEIGEL

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

A BILL FOR

1 An Act classifying animal feeding operations as the same  
2 operation if located within a certain number of feet from each  
3 other.

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

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

HF 326

1 Section 1. Section 455B.161, subsection 3, Code 1997, is  
2 amended to read as follows:

3 3. a. "Animal feeding operation" means a lot, yard,  
4 corral, building, or other area in which animals are confined  
5 and fed and maintained for forty-five days or more in any  
6 twelve-month period, and all structures used for the storage  
7 of manure from animals in the operation.

8 b. Two or more animal feeding operations under shall be  
9 deemed to be a single animal feeding operation if the  
10 operations meet both of the following criteria:

11 (1) Are under common ownership or management are-deemed-to  
12 be-a-single-animal-feeding-operation-if-they-are-adjacent-or  
13 utilize.

14 (2) Utilize a common system for manure storage or are  
15 separated at their closest points by two thousand five hundred  
16 feet or less.

17 c. An animal feeding operation does not include a  
18 livestock market.

19 EXPLANATION

20 This bill amends the definition of animal feeding operation  
21 as regulated by the environmental protection commission of the  
22 department of natural resources under chapter 455B. The  
23 current law provides that two or more operations shall be  
24 deemed a single operation if they are under common ownership  
25 or management and either utilize a common system for manure  
26 storage or are adjacent. This bill eliminates the requirement  
27 of adjacency and provides that they must be considered a  
28 single operation if they are separated at their closest points  
29 by 2,500 feet or less.

30  
31  
32  
33  
34  
35