

3/5/97 Agriculture

FILED MAR 5 1997

SENATE FILE 308
BY BLACK of Kossuth

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to animal feeding operations by eliminating
2 nuisance suit protection.

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

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S.F. 308

1 Section 1. Section 657.11, Code 1997, is repealed.

2 EXPLANATION

3 The bill repeals Code section 657.11 which provides that
4 the owner of an animal feeding operation complying with state
5 and federal requirements enjoys a rebuttable presumption that
6 the operation is not a nuisance, unless there is clear and
7 convincing evidence that the animal feeding operation
8 unreasonably and continuously interferes with another person's
9 comfortable use and enjoyment of the person's life or
10 property, and the injury or damage is proximately caused by
11 the negligent operation of the animal feeding operation.

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