

2/20/01 Do Pass

# REPRINTED

FEB 6 2001  
Place On Calendar

HOUSE FILE 179  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 24)

Passed House, Date	<sup>(p.360)</sup> <u>2/12/01</u>	Passed Senate, Date	<sup>(p.821)</sup> <u>3-26-01</u>
Vote: Ayes	<u>98</u>	Nays	<u>1</u>
	Approved		<u>March 30, 2001</u>

## A BILL FOR

1 An Act relating to excluding from confinement dogs used by police  
2 or correctional officers.

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

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### HOUSE FILE 179

#### H-1046

1 Amend House File 179 as follows:  
2 1. Page 1, line 10, by striking the words "two  
3 weeks" and inserting the following: "~~two weeks~~ ten  
4 days".

By SENG of Scott

H-1046 FILED FEBRUARY 8, 2001

*Adopted*  
2/12/01 *p.359*

HF 179

1 Section 1. Section 351.39, Code 2001, is amended to read  
2 as follows:

3 351.39 CONFINEMENT.

4 When If a local board of health receives information that  
5 ~~any-person-has-been-bitten-by~~ an animal has bitten a person or  
6 that a dog or animal is suspected of having rabies, ~~it the~~  
7 board shall order the owner to confine such animal in the  
8 manner it directs. If the owner fails to confine such animal  
9 in the manner directed, the animal shall be apprehended and  
10 impounded by such board, and after two weeks the board may  
11 humanely destroy the animal. If such animal is returned to  
12 its owner, the owner shall pay the cost of impoundment. This  
13 section shall not apply to a police service dog acting in the  
14 performance of its duties.

15 EXPLANATION

16 This bill relates to excluding from confinement dogs used  
17 by police or correctional officers.

18 The bill provides that the local board of health does not  
19 have the authority to order the owner of a police service dog  
20 to confine the dog if the dog bites a person acting in the  
21 performance of its duties or is suspected of having rabies.

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HOUSE FILE 179

2 H-1042

1 Amend House File 179 as follows:  
2 1. Page 1, line 14, by inserting after the word  
2 3 "duties" the following: "which has bitten a person".  
2 By KREIMAN of Davis

2 H-1042 FILED FEBRUARY 7, 2001

2 (p.360) adopted 2/12/01

HOUSE FILE 179

30 H-1043

1 Amend House File 179 as follows:  
3 1. Page 1, line 13, by inserting after the word  
3 3 "dog" the following: "or a horse used by a law  
3 4 enforcement agency, that is".  
3 By SHOULTZ of Black Hawk

3 H-1043 FILED FEBRUARY 7, 2001

3 adopted 2/12/01 (p.360)

*in the original*

HOUSE FILE 179  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 24)

(As Amended and Passed by the House February 12, 2001)

Passed House, <sup>(P. 360)</sup> Date 2/12/01 Passed Senate, <sup>(P. 821)</sup> Date 3-26-01  
Vote: Ayes 98 Nays 1 Vote: Ayes 46 Nays 0  
Approved March 30, 2001

**A BILL FOR**

1 An Act relating to excluding from confinement dogs used by police  
2 or correctional officers.

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

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House Amendments \_\_\_\_\_

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7 board shall order the owner to confine such animal in the  
8 manner it directs. If the owner fails to confine such animal  
9 in the manner directed, the animal shall be apprehended and  
10 impounded by such board, and after ~~two-weeks~~ ten days the  
11 board may humanely destroy the animal. If such animal is  
12 returned to its owner, the owner shall pay the cost of  
13 impoundment. This section shall not apply to a police service  
14 dog or a horse used by a law enforcement agency, that is  
15 acting in the performance of its duties which has bitten a  
16 person.

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HOUSE FILE 179

AN ACT

RELATING TO EXCLUDING FROM CONFINEMENT DOGS USED BY POLICE OR  
CORRECTIONAL OFFICERS.

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

Section 1. Section 351.39, Code 2001, is amended to read  
as follows:

351.39 CONFINEMENT.

When if a local board of health receives information that  
~~any-person-has-been-bitten-by~~ an animal has bitten a person or  
that a dog or animal is suspected of having rabies, ~~it~~ the  
board shall order the owner to confine such animal in the  
manner it directs. If the owner fails to confine such animal  
in the manner directed, the animal shall be apprehended and  
impounded by such board, and after ~~two-weeks~~ ten days the  
board may humanely destroy the animal. If such animal is  
returned to its owner, the owner shall pay the cost of  
impoundment. This section shall not apply to a police service  
dog or a horse used by a law enforcement agency, that is

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BRENT SIEGRIST  
Speaker of the House

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MARY E. KRAMER  
President of the Senate

I hereby certify that this bill originated in the House and  
is known as House File 179, Seventy-ninth General Assembly.

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MARGARET THOMSON  
Chief Clerk of the House

Approved March 30, 2001

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THOMAS J. VILSACK  
Governor