

FEB 6 2003

JUDICIARY

HOUSE FILE 153
BY EICHORN

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

A BILL FOR

1 An Act prohibiting the award of pets, or advertisement thereof,
2 in certain circumstances, and providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 153

1 Section 1. NEW SECTION. 717E.1 DEFINITIONS.

2 As used in this chapter, unless the context otherwise
3 requires:

4 1. "Advertise" means to present a commercial message in
5 any medium including but not limited to print, radio,
6 television, sign, display, label, tag, or articulation.

7 2. "Business" means any enterprise relating to any of the
8 following:

9 a. The sale or offer for sale of goods or services.

10 b. A recruitment for employment or membership in an
11 organization.

12 c. A solicitation to make an investment.

13 d. An amusement or entertainment activity.

14 3. "Fair" means any of the following:

15 a. The annual fair and exposition held by the Iowa state
16 fair board pursuant to chapter 173 or any fair held by a
17 county or district fair or agricultural society under the
18 provisions of chapter 174.

19 b. An exhibition of agricultural or manufactured products.

20 c. An event for operation of amusement rides or devices or
21 concession booths.

22 4. "Game" means a "game of chance", "game of skill", or
23 "raffle" as defined in section 99B.1.

24 5. "Pet" means a living animal which is limited to a dog,
25 cat, or an animal normally maintained in a small tank or cage
26 in or near a residence, including but not limited to a rabbit,
27 gerbil, hamster, mouse, parrot, canary, mynah, finch, tropical
28 fish, goldfish, snake, turtle, gecko, or iguana.

29 Sec. 2. NEW SECTION. 717E.2 PET AWARDS PROHIBITED.

30 A person is guilty of a serious misdemeanor if the person
31 awards a pet or advertises that a pet may be awarded as any of
32 the following:

33 1. A prize for participating in a game.

34 2. A prize for participating in a fair event.

35 3. An inducement or condition for visiting a place of

1 business or attending an event sponsored by a business.

2 4. An inducement or condition for executing a contract
3 which includes provisions unrelated to the ownership, care, or
4 disposition of the pet.

5 Sec. 3. NEW SECTION. 717E.3 EXCEPTION -- LICENSED PET
6 SHOPS.

7 This chapter shall not apply to a pet shop licensed
8 pursuant to section 162.5 if the award of a pet is provided in
9 connection with a sale of a pet on the premises of the pet
10 shop.

11 EXPLANATION

12 This bill creates a new Code chapter 717E in proximity to
13 other criminal chapters providing for animal welfare. The
14 bill provides that a person is guilty of a serious misdemeanor
15 if the person awards a pet or advertises that a pet may be
16 awarded as a prize for participating in a game or fair event,
17 an inducement or condition for visiting a place of business or
18 attending a business event, or an inducement or benefit for
19 executing a contract. The bill does not apply to awards of
20 pets in connection with sales of pets by licensed pet shops.
21 A serious misdemeanor is punishable by confinement for no more
22 than one year and a fine of at least \$250 but not more than
23 \$1,500.

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