

MAR 7 2003
NATURAL RESOURCES

HOUSE FILE 486
BY FALLON

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

A BILL FOR

1 An Act relating to unlawfully buying or selling a wild animal or
2 part of a wild animal.

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

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HF 486

1 Section 1. Section 481A.136, Code 2003, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 3. Notwithstanding subsection 2, if a
4 person buys or sells a wild animal or part of a wild animal
5 without knowledge that the wild animal or part of the wild
6 animal is taken, transported, or possessed in violation of the
7 laws of this state, or a rule adopted by the department, and
8 the person has no other prior violations of this section, the
9 department shall issue a warning to the person that a
10 violation of this section has occurred and that the person
11 will be subject to civil damages and criminal penalties for
12 the violation for which the warning is issued if the person
13 commits any further violation of this section within one year
14 after the warning is issued. If the person does not commit
15 any such further violation, the person shall not be subject to
16 civil damages or charged with a crime pursuant to subsection 2
17 for the person's actions. Multiple violations of this section
18 that occur contemporaneously shall be treated as one violation
19 for the purposes of this subsection.

20 EXPLANATION

21 This bill provides that if a person buys or sells a wild
22 animal or part of a wild animal without knowledge that the
23 wild animal is taken, transported, or possessed in violation
24 of the laws of this state or a rule adopted by the department
25 and the person has no other such violations prior to the
26 violation, the department of natural resources shall issue a
27 warning to the person that a violation has occurred and that
28 the person will not be subject to civil damages and criminal
29 penalties for the violation for which the warning is issued so
30 long as the person does not commit any further such violation
31 within one year after the warning is issued. Multiple
32 violations that occur contemporaneously are treated as one
33 violation for the purposes of this bill.

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