

MAR 14 2003  
Place On Calendar

HOUSE FILE 567  
BY COMMITTEE ON ENVIRONMENTAL  
PROTECTION

(SUCCESSOR TO HF 251)

Passed House, Date Passed 3/27/03 Passed Senate, Date Passed 4/10/03  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to powers of county environmental health  
2 specialists and providing a penalty.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 567

1 Section 1. NEW SECTION. 455B.307B ENVIRONMENTAL HEALTH  
2 SPECIALIST -- POWERS.

3 1. The board of supervisors of each county may grant the  
4 environmental health specialist of the county the power to  
5 enforce the provisions of sections 455B.307A and 455B.363 and  
6 local littering ordinances. If these powers are granted, the  
7 powers shall be in addition to any other duties and  
8 responsibilities assigned to the environmental health  
9 specialist by the board of supervisors and the environmental  
10 health specialist shall take an oath of office prescribed by  
11 the board of supervisors. The environmental health specialist  
12 may enter upon any public land in the county, excluding land  
13 within the limits of cities, unless otherwise authorized by a  
14 city, at any time for the performance of the environmental  
15 health specialist's duties under this section, and may hire  
16 the labor and equipment necessary subject to the approval of  
17 the board of supervisors.

18 2. A person shall not willfully obstruct, resist, impede,  
19 or interfere with a county environmental health specialist in  
20 connection with the environmental health specialist's  
21 enforcement of sections 455B.307A and 455B.363 and local  
22 littering ordinances. A person shall not willfully retaliate  
23 or discriminate in any manner against an environmental health  
24 specialist as a reprisal for any act or omission of the  
25 environmental health specialist. A person violating this  
26 subsection is guilty of a simple misdemeanor.

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EXPLANATION

28 This bill relates to powers of environmental health  
29 specialists.

30 The bill allows a county board of supervisors to grant  
31 county environmental health specialist the power to enforce  
32 laws relating to the discarding of solid waste and littering  
33 as well as local littering ordinances. The bill provides that  
34 these powers would be in addition to any other duties and  
35 responsibilities assigned to the environmental health

1 specialist. The bill allows the environmental health  
2 specialist to enter upon any public land in the county,  
3 excluding land within the limits of cities, unless otherwise  
4 authorized by a city, at any time for performance of the  
5 environmental health specialist's duties under the bill.

6 The bill provides that a person shall not willfully  
7 obstruct, resist, impede, or interfere with an environmental  
8 health specialist in connection with the environmental health  
9 specialist's enforcement of Code sections 455B.307A and  
10 455B.363 and local littering ordinances. The bill provides  
11 that a person shall not willfully retaliate or discriminate in  
12 any manner against an environmental health specialist as a  
13 reprisal for any act or omission of the environmental health  
14 specialist. The bill provides that a person violating these  
15 provisions is guilty of a simple misdemeanor.

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HOUSE FILE 567

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**S-3168**

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1 Amend House File 567, as passed by the House, as  
2 follows:

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3 1. Page 1, by inserting before line 1 the  
4 following:

22

5 "Section 1. Section 455B.307A, subsection 3, Code  
6 2003, is amended to read as follows:

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7 3. A person who violates this section is subject  
8 to a civil penalty ~~not to exceed~~ of not less than five  
9 hundred dollars but not more than one thousand dollars  
10 for each violation."

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11 2. By renumbering as necessary.

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By RON WIECK

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**S-3168** FILED APRIL 8, 2003

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*Added 4/10/03*

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HOUSE FILE 567

S-3181

1 Amend House File 567, as passed by the House, as  
2 follows:

3 1. Page 1, line 1, by inserting after the figure  
4 "455B.307B" the following: "ENVIRONMENTAL HEALTH  
5 DIRECTOR OR OTHER".

6 2. Page 1, by striking lines 3 through 17 and  
7 inserting the following:

8 "1. The board of health of each county and each  
9 city that has a board of health may, under the  
10 provisions of sections 137.6 and 137.7, grant the  
11 environmental health director or other environmental  
12 health specialist the power to enforce the provisions  
13 of sections 455B.307A and 455B.363 and local littering  
14 ordinances. These powers shall be in addition to any  
15 other duties and responsibilities assigned to the  
16 environmental health director or other environmental  
17 health specialist by the board of health. The  
18 environmental health director or other environmental  
19 health specialist may enter upon any public land  
20 within the local board of health's jurisdiction at any  
21 time for the performance of their duties under this  
22 section, and may hire the labor and equipment  
23 necessary subject to the approval of the board of  
24 health."

25 3. Page 1, line 19, by striking the words "a  
26 county" and inserting the following: "an  
27 environmental health director or other".

28 4. Page 1, line 20, by inserting after the word  
29 "the" the following: "environmental health director's  
30 or other".

31 5. Page 1, line 23, by inserting after the word  
32 "an" the following: "environmental health director or  
33 other".

34 6. Page 1, line 24, by inserting after the word  
35 "the" the following: "environmental health director  
36 or other".

37 7. Title page, line 1, by striking the word  
38 "county" and inserting the following: "local  
39 environmental health directors and other".

By DENNIS H. BLACK

S-3181 FILED APRIL 9, 2003

Adopted 4/10/03

**SENATE AMENDMENT TO  
HOUSE FILE 567**

**H-1321**

1 Amend House File 567, as passed by the House, as  
2 follows:

3 1. Page 1, by inserting before line 1 the  
4 following:

5 "Section 1. Section 455B.307A, subsection 3, Code  
6 2003, is amended to read as follows:

7 3. A person who violates this section is subject  
8 to a civil penalty ~~not to exceed~~ of not less than five  
9 hundred dollars but not more than one thousand dollars  
10 for each violation."

11 2. Page 1, line 1, by inserting after the figure  
12 "455B.307B" the following: "ENVIRONMENTAL HEALTH  
13 DIRECTOR OR OTHER".

14 3. Page 1, by striking lines 3 through 17 and  
15 inserting the following:

16 "1. The board of health of each county and each  
17 city that has a board of health may, under the  
18 provisions of sections 137.6 and 137.7, grant the  
19 environmental health director or other environmental  
20 health specialist the power to enforce the provisions  
21 of sections 455B.307A and 455B.363 and local littering  
22 ordinances. These powers shall be in addition to any  
23 other duties and responsibilities assigned to the  
24 environmental health director or other environmental  
25 health specialist by the board of health. The  
26 environmental health director or other environmental  
27 health specialist may enter upon any public land  
28 within the local board of health's jurisdiction at any  
29 time for the performance of their duties under this  
30 section, and may hire the labor and equipment  
31 necessary subject to the approval of the board of  
32 health."

33 4. Page 1, line 19, by striking the words "a  
34 county" and inserting the following: "an  
35 environmental health director or other".

36 5. Page 1, line 20, by inserting after the word  
37 "the" the following: "environmental health director's  
38 or other".

39 6. Page 1, line 23, by inserting after the word  
40 "an" the following: "environmental health director or  
41 other".

42 7. Page 1, line 24, by inserting after the word  
43 "the" the following: "environmental health director  
44 or other".

45 8. Title page, line 1, by striking the word  
46 "county" and inserting the following: "local  
47 environmental health directors and other".

48 9. By renumbering, relettering, or redesignating  
49 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

**H-1321 FILED APRIL 11, 2003**