

JAN 29 2003
PUBLIC SAFETY

HOUSE FILE 76
BY HANSEN

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

A BILL FOR

1 An Act relating to the protection of animals from injury or
2 torment in contest events, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF-76

1 Section 1. Section 99B.11, subsection 2, paragraph c, Code
2 2003, is amended to read as follows:

3 c. Contests or exhibitions of cooking, horticulture,
4 livestock, poultry, fish or other animals, artwork, hobbywork
5 or craftwork, except those prohibited by section ~~725.11~~
6 717D.2.

7 Sec. 2. Section 709A.1, subsection 2, paragraph c, Code
8 2003, is amended to read as follows:

9 c. Any premises the use of which constitutes a violation
10 of ~~sections section 717D.2, 725.57 or 725.10, or 725.11~~.

11 Sec. 3. Section 717D.2, Code 2003, is amended to read as
12 follows:

13 717D.2 PROHIBITIONS -- CONTEST EVENTS.

14 1. A Except as provided in subsection 2, a person shall
15 not-do is guilty of a class "D" felony if the person does any
16 of the following:

17 ~~1- a. Own-or-operate~~ Owens or operates an establishment
18 located in this state in which a contest event occurs or is to
19 occur.

20 ~~2- b. Act Acts~~ as a promoter of a contest event,
21 regardless of whether the contest event occurs in this state
22 or another state. For purposes of this ~~subsection~~ paragraph,
23 a person who aids, abets, or assists in the promotion of a
24 contest event shall be deemed to act as a promoter.

25 2. A person is guilty of a serious misdemeanor if the
26 person does any of the following:

27 ~~3- a. Act Acts~~ as a trainer of a contest animal engaged or
28 to be engaged in a contest event conducted in this state or
29 another state. For purposes of this ~~subsection~~ paragraph, a
30 person who aids, abets, or assists in the training of a
31 contest animal engaged or to be engaged in a contest event
32 shall be deemed to act as a trainer.

33 ~~4- b. Act Acts~~ as a transporter moving a contest animal in
34 this state.

35 ~~5- c. Act Acts~~ as a spectator of a contest event conducted

1 in this state, regardless of whether the person paid admission
2 to witness the contest event.

3 Sec. 4. The following Code sections are repealed:

4 1. Section 717D.4, Code 2003.

5 2. Section 725.11, Code 2003.

6 EXPLANATION

7 BACKGROUND. The general assembly enacted Senate File 2268
8 (2002 Iowa Acts, ch. 1130), which in part created new Code
9 chapter 717D prohibiting activities referred to as "contest
10 events" in which certain animals are engaged in fighting
11 sports (a bull, bear, chicken, or dog). A person violating a
12 provision in new Code chapter 717D is guilty of a serious
13 misdemeanor.

14 PROVISIONS OF THE BILL. This bill increases the criminal
15 penalty applicable to a person who owns or operates an
16 establishment located in this state in which a contest event
17 occurs or is to occur or who acts as a promoter of a contest
18 event. Under the bill, the person is guilty of a class "D"
19 felony. A class "D" felony is punishable by confinement for
20 no more than five years and a fine of at least \$750 but not
21 more than \$7,500.

22 The bill repeals Code section 725.11, which first appeared
23 in the Code of 1873, prohibiting animal contests. A person
24 who commits a violation of that section is guilty of a serious
25 misdemeanor.

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