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SENATE FILE 251 AGRICULTURE  
BY WOOD

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to animal feeding operations, by establishing a  
2 regulatory information service and providing for compliance.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 251  
AGRICULTURE

1 Section 1. NEW SECTION. 459.104 REGULATORY INFORMATION  
2 SERVICE -- DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP.

3 1. The department of agriculture and land stewardship  
4 shall provide a regulatory information service. The purpose  
5 of the service shall be to provide a center of information  
6 where a person interested in constructing, expanding, or  
7 operating an animal feeding operation may be informed of the  
8 regulatory requirements of this chapter, including rules  
9 adopted by the commission pursuant to section 459.103, orders  
10 issued by the department of natural resources as authorized  
11 under this chapter, and the terms and conditions applicable to  
12 licenses, certifications, permits, or manure management plans.

13 2. The department of natural resources shall inform the  
14 department of agriculture and land stewardship of all of the  
15 following:

16 a. Regulatory requirements under this chapter, persons who  
17 are subject to the requirements, and the existence of any  
18 threshold level which would exempt a person from the  
19 regulation.

20 b. The nature of the regulations.

21 c. The amount of any fees required to be paid for  
22 complying with the regulations.

23 d. The process of applying for a permit, submitting a  
24 manure management plan, or obtaining other regulatory  
25 approval.

26 e. A brief statement of the purpose of requiring the  
27 permit, manure management plan, or regulatory approval or  
28 requiring compliance with the standards or criteria.

29 3. The department of natural resources shall promptly  
30 inform the department of agriculture and land stewardship of  
31 any changes in the information provided under subsection 2 or  
32 the establishment of a new regulation. The information  
33 provided to or disseminated by the department of agriculture  
34 and land stewardship shall not be binding upon the department  
35 of natural resources. However, a person shall not be subject

1 to the imposition of a penalty for a failure to comply with a  
2 regulatory requirement if the person demonstrates that the  
3 person relied upon information provided by the department of  
4 agriculture and land stewardship indicating that the  
5 regulatory requirement was not applicable, and upon  
6 notification by the department of natural resources the person  
7 either ceases the prohibited activity or complies with the  
8 regulatory requirement.

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## EXPLANATION

10 This bill amends provisions in Code chapter 459, the  
11 "Animal Agriculture Compliance Act", which provides for the  
12 regulation of animal feeding operations, and especially  
13 confinement feeding operations, by the department of natural  
14 resources. The bill provides for the establishment of a  
15 center of information within the department of agriculture and  
16 land stewardship where a person interested in constructing,  
17 expanding, or operating an animal feeding operation may be  
18 informed of the regulatory requirements of the chapter and  
19 rules adopted by the environmental protection commission,  
20 including the terms and conditions applicable to licenses,  
21 certifications, permits, or manure management plans. The bill  
22 requires that the department of natural resources inform the  
23 department of agriculture and land stewardship of issues  
24 relating to the regulatory requirements and compliance. The  
25 bill provides that a person is not subject to the imposition  
26 of a penalty for a failure to comply with a regulatory  
27 requirement if the person demonstrates that they relied upon  
28 information provided by the department of agriculture and land  
29 stewardship and then, upon notification by the department of  
30 natural resources, the person either ceased the prohibited  
31 activity or complied with the regulatory requirement.

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