

House File 740 - Introduced

HOUSE FILE _____
BY COMMITTEE ON NATURAL RESOURCES

(SUCCESSOR TO HSB 37)

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

A BILL FOR

1 An Act regulating the administration of drugs to certain
2 noncaptive vertebrate wildlife and providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1408HV 82
5 av/je/5

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1 1 Section 1. NEW SECTION. 481A.40 USE OF DRUGS ON
1 2 NONCAPTIVE VERTEBRATE WILDLIFE == PENALTY.
1 3 1. For the purposes of this section, "drug" means any
1 4 chemical substance, other than food, that affects the
1 5 structure or biological function of any noncaptive vertebrate
1 6 wildlife species.
1 7 2. Except with written authorization from the director or
1 8 the director's designee or as otherwise provided by law, a
1 9 person shall not administer any drug to any noncaptive
1 10 vertebrate wildlife, including but not limited to drugs used
1 11 for fertility control, disease prevention or treatment,
1 12 immobilization, or growth stimulation.
1 13 3. This section does not prohibit the treatment of sick or
1 14 injured wildlife by a licensed veterinarian or holder of a
1 15 wildlife rehabilitation permit.
1 16 4. This section shall not be construed to limit employees
1 17 of agencies of the state, the United States, or local animal
1 18 control officers, licensed animal shelters, or licensed pounds
1 19 in the performance of their official duties related to public
1 20 health, wildlife management, or wildlife removal. However, a
1 21 drug shall not be administered by any person for fertility
1 22 control or growth stimulation except as provided in subsection
1 23 2.
1 24 5. An officer of the department may take possession of or
1 25 dispose of any noncaptive vertebrate wildlife that the officer
1 26 reasonably believes has been administered drugs in violation
1 27 of this section.
1 28 6. A person who violates this section is guilty of a
1 29 serious misdemeanor.

EXPLANATION

1 31 This bill relates to the administration of drugs to certain
1 32 noncaptive vertebrate wildlife. For the purposes of the bill,
1 33 "drug" means any chemical substance, other than food, that
1 34 affects the structure or biological function of any noncaptive
1 35 vertebrate wildlife species.

2 1 The bill prohibits the administration of drugs to any
2 2 noncaptive vertebrate wildlife for any purpose, including but
2 3 not limited to fertility control, disease prevention or
2 4 treatment, immobilization, or growth stimulation, except with
2 5 written authorization from the department of natural resources
2 6 or as otherwise provided by law.

2 7 The bill does not prohibit a licensed veterinarian or
2 8 holder of a wildlife rehabilitation permit from treating sick
2 9 or injured wildlife. The bill also does not prohibit
2 10 government employees, local animal control officers, licensed
2 11 animal shelters, or licensed pounds from carrying out their
2 12 official duties related to public health, wildlife management,
2 13 or wildlife removal.

2 14 The bill authorizes an officer of the department to take
2 15 possession of and dispose of any noncaptive vertebrate
2 16 wildlife that the officer reasonably believes has been
2 17 administered drugs in violation of the bill.

2 18 A person who violates the provisions of the bill is guilty

2 19 of a serious misdemeanor. A serious misdemeanor is punishable
2 20 by confinement for no more than one year and a fine of at
2 21 least \$315 but not more than \$1,875.
2 22 LSB 1408HV 82
2 23 av:rj/je/5