

House Study Bill 37

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
NATURAL RESOURCES BILL)

Passed Senate, Date _____ Passed House, 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 1408DP 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 in the performance of their official duties
1 19 related to public health, wildlife management, or wildlife
1 20 removal. However, a drug shall not be administered by any
1 21 person for fertility control or growth stimulation except as
1 22 provided in subsection 2.
1 23 5. An officer of the department may take possession of or
1 24 dispose of any noncaptive vertebrate wildlife that the officer
1 25 reasonably believes has been administered drugs in violation
1 26 of this section.
1 27 6. A person who violates this section is guilty of a
1 28 serious misdemeanor.

EXPLANATION

1 30 This bill relates to the administration of drugs to certain
1 31 noncaptive vertebrate wildlife. For the purposes of the bill,
1 32 "drug" means any chemical substance, other than food, that
1 33 affects the structure or biological function of any noncaptive
1 34 vertebrate wildlife species.

1 35 The bill prohibits the administration of drugs to any
2 1 noncaptive vertebrate wildlife for any purpose, including but
2 2 not limited to fertility control, disease prevention or
2 3 treatment, immobilization, or growth stimulation, except with
2 4 written authorization from the department of natural resources
2 5 or as otherwise provided by law.

2 6 The bill does not prohibit a licensed veterinarian or
2 7 holder of a wildlife rehabilitation permit from treating sick
2 8 or injured wildlife. The bill also does not prohibit
2 9 government employees from carrying out their official duties
2 10 related to public health, wildlife management, or wildlife
2 11 removal.

2 12 The bill authorizes an officer of the department to take
2 13 possession of and dispose of any noncaptive vertebrate
2 14 wildlife that the officer reasonably believes has been
2 15 administered drugs in violation of the bill.

2 16 A person who violates the provisions of the bill is guilty
2 17 of a serious misdemeanor. A serious misdemeanor is punishable
2 18 by confinement for no more than one year and a fine of at
2 19 least \$315 but not more than \$1,875.

2 20 LSB 1408DP 82
2 21 av:rj/je/5.1