

House File 30 - Introduced

HOUSE FILE _____
BY LYKAM

(COMPANION TO LSB 1460SS
BY SENG)

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

A BILL FOR

1 An Act providing for the regulation of commercial establishments
2 that house animals by the department of agriculture and land
3 stewardship.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1460HH 83
6 da/nh/5

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1 1 Section 1. Section 162.11, subsection 2, Code 2009, is
1 2 amended to read as follows:
1 3 2. ~~The A~~ certificate of registration may be denied or
1 4 revoked if the person no longer possesses a current and valid
1 5 federal license. ~~Other than obtaining the certificate of~~
~~1 6 registration from the secretary, any dealer or commercial~~
~~1 7 breeder and any person who operates a commercial kennel or~~
~~1 8 public auction shall not be subject to further regulation~~
~~1 9 under the provisions of this chapter.~~

1 10 EXPLANATION

1 11 This bill amends a provision in Code chapter 162
1 12 authorizing the department of agriculture and land stewardship
1 13 to regulate animals kept in commercial establishments.
1 14 Generally, commercial establishments must obtain a license or
1 15 certificate of registration. The bill addresses several types
1 16 of commercial establishments that have obtained a federal
1 17 license in lieu of a state license. The commercial
1 18 establishments of concern are a commercial kennel (Code
1 19 section 162.6), public auction (Code section 162.6), dealer
1 20 (Code section 162.7), and commercial breeder (Code section
1 21 162.8). A federally licensed commercial establishment must
1 22 still obtain a certificate of registration from the
1 23 department.

1 24 Two Code sections address certificates of registration
1 25 issued to a federally licensed commercial establishment. Code
1 26 section 162.11(2) provides that other than obtaining a
1 27 certificate of registration, the commercial establishment is
1 28 not subject to further departmental regulation. However, Code
1 29 section 162.12 provides that the department may deny an
1 30 application for a certificate of registration or revoke a
1 31 certificate of registration that has been issued if the
1 32 department determines that the practices of the commercial
1 33 establishment do not comply with the requirements of the Code
1 34 chapter. The Code section also provides that the premises of
1 35 a certificate holder must be open for inspection during normal
2 1 business hours. The bill eliminates the provision in Code
2 2 section 162.11(2) that limits the department's authority to
2 3 regulate federally licensed commercial establishments.

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