

# Senate File 69 - Introduced

SENATE FILE \_\_\_\_\_  
BY SENG

(COMPANION TO LSB 1460HH  
BY LYKAM)

Passed Senate, Date \_\_\_\_\_ Passed House, 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 1460SS 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.~~

### EXPLANATION

1 10 This bill amends a provision in Code chapter 162  
1 11 authorizing the department of agriculture and land stewardship  
1 12 to regulate animals kept in commercial establishments.  
1 13 Generally, commercial establishments must obtain a license or  
1 14 certificate of registration. The bill addresses several types  
1 15 of commercial establishments that have obtained a federal  
1 16 license in lieu of a state license. The commercial  
1 17 establishments of concern are a commercial kennel (Code  
1 18 section 162.6), public auction (Code section 162.6), dealer  
1 19 (Code section 162.7), and commercial breeder (Code section  
1 20 162.8). A federally licensed commercial establishment must  
1 21 still obtain a certificate of registration from the  
1 22 department.

1 23 Two Code sections address certificates of registration  
1 24 issued to a federally licensed commercial establishment. Code  
1 25 section 162.11(2) provides that other than obtaining a  
1 26 certificate of registration, the commercial establishment is  
1 27 not subject to further departmental regulation. However, Code  
1 28 section 162.12 provides that the department may deny an  
1 29 application for a certificate of registration or revoke a  
1 30 certificate of registration that has been issued if the  
1 31 department determines that the practices of the commercial  
1 32 establishment do not comply with the requirements of the Code  
1 33 chapter. The Code section also provides that the premises of  
1 34 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.

2 4 LSB 1460SS 83  
2 5 da/nh/5