

**House File 2397 - Introduced**

HOUSE FILE 2397

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 570)

**A BILL FOR**

- 1 An Act relating to horses and dogs engaged in police service
- 2 by providing for acts involving injury or interference, and
- 3 providing for penalties.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 717.9 Injury or interference with  
2 a police service horse.

3 1. A person who knowingly, and willfully or maliciously  
4 torments, strikes, administers a nonpoisonous desensitizing  
5 substance to, or otherwise interferes with a police service  
6 horse, without inflicting serious injury on the police service  
7 horse, commits a serious misdemeanor.

8 2. A person who knowingly, and willfully or maliciously does  
9 any of the following commits a class "D" felony:

10 a. Tortures a police service horse.

11 b. Injures, so as to disfigure or disable, a police service  
12 horse.

13 c. Sets a booby trap device for purposes of injuring, so as  
14 to disfigure or disable, or killing a police service horse.

15 d. Pays or agrees to pay a bounty for purposes of injury, so  
16 as to disfigure or disable, or kill a police service horse.

17 e. Kills a police service horse.

18 f. Administers poison to a police service horse.

19 3. As used in this section, "*police service horse*" means a  
20 horse used by a peace officer or correctional officer in the  
21 performance of the officer's duties, whether or not the horse  
22 is on duty.

23 4. This section does not apply to any of the following:

24 a. A peace officer or veterinarian who treats a police  
25 service horse, if the treatment is for the purpose of  
26 rehabilitating the police service horse or relieving the police  
27 service horse of undue pain or suffering, and which may include  
28 terminating the horse's life.

29 b. A person who justifiably acts in defense of self or  
30 another person.

31 Sec. 2. Section 717B.9, subsection 4, Code 2011, is amended  
32 by striking the subsection and inserting in lieu thereof the  
33 following:

34 4. This section does not apply to any of the following:

35 a. A peace officer or veterinarian who treats a police



1 service horse must be used by a peace officer or correctional  
2 officer in the performance of the officer's duties, whether or  
3 not the animal is on duty.

4 The bill creates two exceptions, first for a peace officer  
5 or veterinarian who treats a police service horse to provide  
6 for either rehabilitation or termination, and second for a  
7 person who justifiably acts in self-defense or in the defense  
8 of another person. The bill also amends the current provision  
9 relating to police service dogs to correspond to the treatment  
10 exception applicable to police service horses under the bill.