

**Senate File 2030 - Introduced**

SENATE FILE 2030

BY BEALL

**A BILL FOR**

1 An Act relating to domestic abuse protective orders and pets or  
2 companion animals owned or held by a petitioner, respondent,  
3 or minor child of the petitioner or respondent in a domestic  
4 abuse case.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 236.3, subsection 1, Code 2011, is  
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *0g.* Name or description of any pet or  
4 companion animal owned, possessed, leased, kept, or held by the  
5 petitioner, respondent, or minor child of the petitioner or  
6 respondent whose welfare may be affected by the controversy.  
7 However, this paragraph shall not apply to livestock as defined  
8 in section 717.1, held solely or primarily for commercial  
9 purposes.

10 Sec. 2. Section 236.4, Code 2011, is amended by adding the  
11 following new subsection:

12 NEW SUBSECTION. 3A. The court may include in the temporary  
13 order issued pursuant to this section a grant to the petitioner  
14 of the exclusive care, possession, or control of any pets or  
15 companion animals owned, possessed, leased, kept, or held by  
16 the petitioner, respondent, or minor child of the petitioner or  
17 respondent whose welfare may be affected by the controversy.  
18 The court may forbid the respondent from approaching, taking,  
19 transferring, encumbering, concealing, molesting, attacking,  
20 striking, threatening, harming, or otherwise disposing of the  
21 pet or companion animal. This subsection shall not apply to  
22 livestock as defined in section 717.1, held solely or primarily  
23 for commercial purposes.

24 Sec. 3. Section 236.4, subsection 4, Code 2011, is amended  
25 to read as follows:

26 4. If a hearing is continued, the court may make or extend  
27 any temporary order under subsection 2, ~~or 3~~, or 3A that it  
28 deems necessary.

29 Sec. 4. Section 236.5, subsection 1, paragraph b, Code 2011,  
30 is amended by adding the following new subparagraph:

31 NEW SUBPARAGRAPH. (7) A grant to the petitioner of  
32 the exclusive care, possession, or control of any pets or  
33 companion animals owned, possessed, leased, kept, or held by  
34 the petitioner, respondent, or minor child of the petitioner or  
35 respondent whose welfare may be affected by the controversy.

1 The court may forbid the respondent from approaching, taking,  
2 transferring, encumbering, concealing, molesting, attacking,  
3 striking, threatening, harming, or otherwise disposing of the  
4 pet or companion animal. This subparagraph shall not apply to  
5 livestock as defined in section 717.1, held solely or primarily  
6 for commercial purposes.

7

EXPLANATION

8 This bill relates to domestic abuse protective orders  
9 and pets or companion animals owned or held by a petitioner,  
10 respondent, or minor child of the petitioner or respondent in  
11 a domestic abuse case.

12 The bill provides that a person who files a petition for  
13 relief from domestic abuse pursuant to Code section 236.3 may  
14 include in the petition the name or description of any pet or  
15 companion animal owned, possessed, leased, kept, or held by the  
16 petitioner, respondent, or minor child of the petitioner or  
17 respondent whose welfare may be affected by the controversy.

18 The bill further provides the court may include in both  
19 temporary and permanent orders issued a grant to the petitioner  
20 of the exclusive care, possession, or control of any pets or  
21 companion animals owned, possessed, leased, kept, or held by  
22 the petitioner, respondent, or minor child of the petitioner or  
23 respondent whose welfare may be affected by the controversy.  
24 The court may forbid the respondent from approaching, taking,  
25 transferring, encumbering, concealing, molesting, attacking,  
26 striking, threatening, harming, or otherwise disposing of the  
27 pet or companion animal.

28 The bill does not apply to livestock as defined in Code  
29 section 717.1, held solely or primarily for commercial  
30 purposes.