

**House File 298 - Introduced**

HOUSE FILE 298

BY ALONS and J. SMITH

**A BILL FOR**

1 An Act exempting persons operating as an exhibitor of animals  
2 from license or permit fees imposed upon certain commercial  
3 establishments.

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

1 Section 1. Section 162.2B, subsection 1, paragraph b, Code  
2 2013, is amended to read as follows:

3 b. For the issuance or renewal of a state license or permit,  
4 one hundred seventy-five dollars. However, a all of the  
5 following shall apply:

6 (1) A commercial breeder who owns, keeps, breeds, or  
7 transports a greyhound dog for pari-mutuel wagering at a  
8 racetrack as provided in chapter 99D shall pay a different fee  
9 for the issuance or renewal of a state license as provided in  
10 rules adopted by the department.

11 (2) A fee is not required for a person operating on  
12 a nonprofit basis as an exhibitor pursuant to any of the  
13 following:

14 (a) A class C license issued by the United States department  
15 of agriculture pursuant to 9 C.F.R. ch. 1, subch. A, pt. 1,  
16 §1.1 and pt. 2, subpt. A.

17 (b) Registration with the United States department of  
18 agriculture pursuant to 9 C.F.R. ch. 1, subch. B.

19 EXPLANATION

20 BACKGROUND. This bill amends Code chapter 162, which  
21 provides for the regulation of persons who possess or control  
22 animals, and especially dogs and cats. The Code chapter is  
23 administered and enforced by the department of agriculture  
24 and land stewardship. A person operating a commercial  
25 establishment (a commercial breeder, dealer, or public auction)  
26 must obtain an authorization issued by the department. The  
27 authorization may be either a state license, or a permit if  
28 the person is operating under a federal license (Code section  
29 162.2A). The department issues a certificate of registration  
30 to a person operating a pound, animal shelter, or research  
31 facility.

32 A commercial breeder is a person engaged in the business  
33 of breeding dogs or cats, and who sells, exchanges, or leases  
34 dogs or cats in return for consideration. A dealer is a  
35 person who is engaged in the business of buying for resale or

1 selling or exchanging dogs or cats. A public auction is a  
2 place where dogs or cats are sold at auction to the highest  
3 bidder. Generally, the person must pay the department an  
4 annual fee of \$175 for being issued or renewed a license or  
5 permit, and the moneys collected from these fees are deposited  
6 into a commercial establishment fund for use by the department  
7 in administering and enforcing the regulations (Code section  
8 162.2C). However, a commercial breeder who keeps greyhounds  
9 for racing is subject to a separate fee.

10 BILL — EXEMPTION FROM FEE FOR EXHIBITORS LICENSED OR  
11 REGISTERED UNDER FEDERAL LAW. This bill provides that a fee  
12 shall not be imposed upon a person who operates on a nonprofit  
13 basis as an exhibitor, if the person is licensed or registered  
14 with the United States department of agriculture under the  
15 federal Animal Welfare Act. An exhibitor is a private or  
16 public person who displays an animal to the public and includes  
17 zoos operated for profit or not for profit (7 U.S.C. ch. 54).  
18 Generally, federal law requires a license, but it also provides  
19 for registration in lieu of licensure. The bill excuses a  
20 person who is either licensed or registered under federal law  
21 as an exhibitor.