

House File 2389 - Introduced

HOUSE FILE 2389
BY COMMITTEE ON NATURAL
RESOURCES

(SUCCESSOR TO HF 2218)

A BILL FOR

1 An Act prohibiting the tampering with an electronic handling
2 device attached to or worn by a dog or attached to an item
3 worn by a dog, and providing penalties.

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

1 Section 1. NEW SECTION. 351.45 Electronic handling device
2 tampering — penalties.

3 1. A person commits the offense of electronic handling
4 device tampering if all of the following apply:

5 a. The person knowingly removes, disables, or destroys
6 an electric device designed and used to maintain custody or
7 control of the dog or modify the dog's behavior.

8 b. The electronic device is attached to or worn by the
9 dog or attached to an item worn by the dog, including but not
10 limited to a collar, harness, or vest.

11 2. a. For the first conviction, the person is guilty of a
12 simple misdemeanor.

13 b. For a second or subsequent conviction, the person is
14 guilty of a serious misdemeanor.

15 3. This section shall not apply to an act taken by any of
16 the following:

17 a. The owner of the dog, an agent of the owner, or a person
18 authorized to take action by the owner.

19 b. A peace officer as defined in section 801.4.

20 c. A veterinarian licensed as provided in chapter 169.

21

EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 This bill prohibits a person from knowingly tampering with
25 an electronic handling device that is designed and used to
26 maintain custody or control of the dog or modify the dog's
27 behavior. The tampering must be an act that removes, disables,
28 or destroys the device while attached to the dog or attached
29 to an item worn by the dog. The offense does not apply to
30 the dog's owner or to an agent of or a person authorized to
31 take action by the owner, a peace officer, or a licensed
32 veterinarian.

33 For the first conviction, a person is guilty of a simple
34 misdemeanor and for a second or subsequent conviction, a person
35 is guilty of a serious misdemeanor.

H.F. 2389

1 A simple misdemeanor is punishable by confinement for no
2 more than 30 days or a fine of at least \$65 but not more than
3 \$625 or by both. A serious misdemeanor is punishable by
4 confinement for no more than one year and a fine of at least
5 \$315 but not more than \$1,875.