

House File 2458 - Introduced

HOUSE FILE 2458
BY COMMITTEE ON NATURAL
RESOURCES

(SUCCESSOR TO HF 2240)

A BILL FOR

1 An Act relating to the management of the spread of diseases in
2 animals, and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 163.2, subsection 5, Code 2020, is
2 amended to read as follows:

3 5. "*Infectious or contagious disease*" means glanders, farcy,
4 maladie du coit (dourine), anthrax, foot and mouth disease,
5 scabies, classical swine fever, tuberculosis, brucellosis,
6 vesicular exanthema, scrapie, rinderpest, chronic wasting
7 disease, avian influenza or Newcastle disease as provided in
8 chapter 165B, pseudorabies as provided in [chapter 166D](#), or any
9 other transmissible, transferable, or communicable disease so
10 designated by the department.

11 Sec. 2. Section 481A.38, subsection 1, Code 2020, is amended
12 to read as follows:

13 1. *a.* The commission may upon its own motion and after an
14 investigation, alter, limit, or restrict the methods or means
15 employed and the instruments or equipment used in taking wild
16 mammals, birds subject to [section 481A.48](#), fish, reptiles,
17 and amphibians, if the investigation reveals that the action
18 would be desirable or beneficial in promoting the interests of
19 conservation, ~~or the commission may, after an investigation~~
20 ~~when it is found there is imminent danger of loss of fish~~
21 ~~through natural causes, authorize the taking of fish by means~~
22 ~~found advisable to salvage imperiled fish populations.~~

23 *b.* The commission shall act to prevent, control, or
24 eradicate an infectious or contagious disease in any wild
25 animal as necessary to comply with section 456A.23. After
26 an investigation when it is found there is imminent danger
27 of loss of fish through natural causes, the commission may
28 authorize the taking of fish by means found advisable to
29 salvage imperiled fish populations.

30 *c.* Upon the discovery of an infectious or contagious disease
31 in any wild animal, the commission may establish a wild animal
32 disease management zone and take such actions within the zone
33 as are necessary to protect wild animal health and conserve
34 biological balance. Such actions are limited to establishing
35 special seasons, preventing the artificial movement of wild

1 animals, wild animal carcasses, or parts thereof, and requiring
2 disease sample collection from harvested wild animals. The
3 commission shall give not less than twenty-four hours' notice
4 by mail or electronic means to all landowners within a proposed
5 disease management zone before establishing the zone and such
6 notice shall identify the specific activity requirements or
7 restrictions imposed in the zone that shall apply to public or
8 private lands within the zone.

9 d. In administering paragraph "c", all of the following
10 shall apply:

11 (1) A state biologist or conservation officer may go to a
12 residence or approach a private landowner or tenant to provide
13 information regarding the wild animal disease prevention,
14 containment, and eradication efforts underway in the area.

15 (2) A state biologist or conservation officer may go to a
16 residence or approach a private landowner or tenant to request
17 and obtain written or verbal permission to collect wildlife
18 samples.

19 b. e. The commission shall adopt a rule permitting a
20 crossbow to be used only by individuals with disabilities
21 who are physically incapable of using a bow and arrow under
22 the conditions in which a bow and arrow is permitted. The
23 commission shall prepare an application to be used by an
24 individual requesting the status. The application shall
25 require the individual's physician to sign a statement
26 declaring that the individual is not physically able to use a
27 bow and arrow.

28 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate
29 importance, takes effect upon enactment.

30 EXPLANATION

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

33 This bill relates to control of infectious diseases in
34 animals.

35 The bill amends the definition of "infectious or contagious

1 disease" in Code section 163.2 to include chronic wasting
2 disease. By operation of law, the bill allows the department
3 of agriculture and land stewardship to adopt rules and exercise
4 certain powers to control the spread of chronic wasting disease
5 in animals under the department's jurisdiction.

6 The bill requires the natural resource commission to act
7 to prevent, control, or eradicate an infectious or contagious
8 disease in any wild animal. The bill authorizes the commission
9 to establish a disease management zone for any wild animal,
10 upon the finding of an infectious or contagious disease in a
11 population of that animal, and take certain actions to prevent
12 the spread of disease through that animal population.

13 The bill allows a state biologist or conservation officer to
14 go to a residence or approach a private landowner or tenant to
15 provide information regarding wild animal disease prevention,
16 containment, and eradication efforts in the area or to request
17 and obtain permission to collect wildlife samples.

18 The bill takes effect upon enactment.