

**House File 557 - Introduced**

HOUSE FILE 557

BY MASCHER

**A BILL FOR**

1 An Act relating to the operation of animal shelters, by  
2 prohibiting the transfer of certain animals, and making  
3 penalties applicable.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 162.2, Code 2019, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 10A. *“Convicted”* means a finding of guilt,  
4 irrespective of the imposition or execution of any sentence; a  
5 final and valid admission of guilt or a guilty plea; an entry  
6 of judgment of conviction; an adjudication of delinquency; a  
7 plea of guilty to a delinquency petition; the entry into an  
8 informal adjustment agreement or an agreement to the entry of a  
9 consent decree regarding a delinquent act.

10 Sec. 2. Section 162.4, Code 2019, is amended to read as  
11 follows:

12 **162.4 Operation of an animal shelter — certificate of**  
13 **registration.**

14 1. An animal shelter shall only operate pursuant to a  
15 certificate of registration issued or renewed by the department  
16 as provided in [section 162.2A](#). An animal shelter may sell dogs  
17 or cats if sales are allowed by the department. ~~The~~

18 2. An animal shelter facility shall maintain records as  
19 required by the department in order for the department to  
20 ensure the animal shelter’s compliance with the provisions of  
21 this chapter.

22 3. An animal shelter shall not transfer a dog to a person  
23 who has been convicted of animal abuse pursuant to section  
24 717B.2, animal neglect pursuant to section 717B.3, animal  
25 torture pursuant to section 717B.3A, injury to or interference  
26 with a police service dog pursuant to section 717B.9,  
27 bestiality pursuant to section 717C.1, or an act involving a  
28 contest event prohibited in section 717D.2.

29 4. An animal shelter shall not transfer an animal to a  
30 person, if the person owned or exercised custody of an animal  
31 that was subject to a civil proceeding in which a court  
32 determined that the animal was a threatened animal under  
33 section 717B.4.

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

1           the explanation's substance by the members of the general assembly.

2       This bill prohibits an animal shelter from transferring  
3 an animal to a person convicted of an offense relating to  
4 the mistreatment of an animal, including animal abuse (Code  
5 section 717B.2), animal neglect (Code section 717B.3), animal  
6 torture (Code section 717B.3A), injury or interference with  
7 a police service dog (Code section 717B.9), bestiality (Code  
8 section 717C.1), and a number of closely related offenses that  
9 involve animals participating in certain contest events such as  
10 fighting that may result in an animal's injury or death (Code  
11 section 717D.2). All of these offenses are currently subject  
12 to a series of penalties ranging from a simple misdemeanor to a  
13 class "D" felony. The bill also prohibits an animal shelter  
14 from transferring an animal to a person who was the subject to  
15 a civil dispositional proceeding (Code section 717B.4) arising  
16 out of a rescue by a local government in which the court orders  
17 its disposition after determining its status as threatened,  
18 meaning it was subject to neglect, abuse, or torture.

19       An animal shelter found in violation of the bill is subject  
20 to a civil penalty of not more than \$500.