

Senate File 2389 - Introduced

SENATE FILE 2389
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 3171)

A BILL FOR

1 An Act creating the criminal offense of food operation
2 trespass, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 716.7A Food operation trespass.

2 1. As used in this section, unless the context otherwise
3 requires:

4 a. "Apiary" and "bee" mean the same as defined in section
5 160.1A.

6 b. "Food animal" means an animal belonging to the bovine,
7 caprine, ovine, or porcine species; farm deer as defined in
8 section 170.1; turkeys, chickens, or other poultry; or bees.

9 c. "Food establishment", "food processing plant", and
10 "farmers market" mean the same as defined in section 137F.1.

11 d. "Food operation" means any of the following:

12 (1) A location where a food animal is produced.

13 (2) A location other than as described in subparagraph (1)
14 where a food animal is kept, including an apiary, livestock
15 market, vehicle or trailer attached to a vehicle, fair,
16 exhibition, or a business operated by a person licensed to
17 practice veterinary medicine pursuant to chapter 169.

18 (3) A location where a meat food product, poultry product,
19 or honey is prepared for human consumption, including a food
20 processing plant, a slaughtering establishment operating under
21 the provisions of 21 U.S.C. §451 et seq. or 21 U.S.C. §601
22 et seq.; or a slaughtering establishment subject to state
23 inspection as provided in chapter 189A.

24 (4) A food establishment or farmers market that sells or
25 offers for sale a meat product, poultry product, or honey.

26 e. "Meat food product", "poultry product", and "prepared"
27 mean the same as defined in section 189A.2.

28 2. A person commits food operation trespass by entering
29 or remaining on the property of a food operation without the
30 consent of a person who has real or apparent authority to allow
31 the person to enter or remain on the property.

32 3. Subsection 2 does not apply to any of the following:

33 a. A person passing over a right-of-way, if the person has
34 not been notified or requested by posted signage or other means
35 to abstain from entering onto the right-of-way or to vacate the

