

**Senate Study Bill 1227 - Introduced**

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
AGRICULTURE BILL BY  
CHAIRPERSON ZUMBACH)

**A BILL FOR**

1 An Act relating to an offense involving trespass to  
2 agricultural production facilities, and providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 717A.3B Agricultural production  
2 facility trespass.

3 1. A person commits agricultural production facility  
4 trespass if the person does any of the following:

5 a. Uses deception as described in section 702.9, subsection  
6 1 or 2, on a matter that would reasonably result in a denial of  
7 access to an agricultural production facility that is not open  
8 to the public, and, through such deception, gains access to  
9 the agricultural production facility, with the intent to cause  
10 physical or economic harm or other injury to the agricultural  
11 production facility's operations, agricultural animals, crop,  
12 owner, personnel, equipment, building, premises, business  
13 interest, or customer.

14 b. Uses deception as described in section 702.9, subsection  
15 1 or 2, on a matter that would reasonably result in a denial  
16 of an opportunity to be employed at an agricultural production  
17 facility that is not open to the public, and, through such  
18 deception, is so employed, with the intent to cause physical or  
19 economic harm or other injury to the agricultural production  
20 facility's operations, agricultural animals, crop, owner,  
21 personnel, equipment, building, premises, business interest,  
22 or customer.

23 2. A person who commits agricultural production facility  
24 trespass is guilty of a serious misdemeanor for a first offense  
25 and an aggravated misdemeanor for a second or subsequent  
26 offense.

27 3. A person who conspires with another, as described in  
28 section 706.1, to commit agricultural production facility  
29 trespass is guilty of a serious misdemeanor for a first offense  
30 and an aggravated misdemeanor for a second or subsequent  
31 offense. For purposes of this subsection, a person commits  
32 conspiracy to commit agricultural production facility trespass,  
33 without regard to the limitation of criminal liability for  
34 conspiracy otherwise applicable under section 706.1, subsection  
35 1.

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EXPLANATION

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

3

4 This bill amends Code chapter 717A, which provides that a  
5 person who disrupts agricultural production at an agricultural  
6 production facility (facility) is subject to criminal  
7 prosecution. A facility is a location where agricultural  
8 animals or crops are maintained, and includes related real  
9 or personal property. The bill creates the criminal offense  
10 of agricultural production facility trespass which involves  
11 the use of deception to obtain access to a facility, which is  
12 not open to the public, with the intent to cause physical or  
13 economic harm or other injury to the facility's operations,  
14 property, or persons. The offense also involves obtaining  
15 employment with the agricultural production facility by  
16 deception with the intent to cause physical or economic harm  
17 or other injury to the facility's operations, property, or  
18 persons.

19 A person who commits agricultural production facility  
20 trespass is guilty of a serious misdemeanor for a first offense  
21 and an aggravated misdemeanor for a second or subsequent  
22 offense. The bill also expressly provides for the application  
23 of the conspiracy statute. A person convicted of conspiracy  
24 under the bill's provisions is guilty of a misdemeanor of the  
25 same class as the underlying offense.

26 A serious misdemeanor is punishable by confinement for no  
27 more than one year and a fine of at least \$315 but not more than  
28 \$1,875. An aggravated misdemeanor is punishable by confinement  
29 for no more than two years and a fine of at least \$625 but not  
30 more than \$6,250.