

House Study Bill 245 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON BLOOMINGDALE)

A BILL FOR

1 An Act providing for the conduct of licensed veterinarians
2 when involved in certain legal matters involving the alleged
3 mistreatment of animals, including by providing for immunity
4 from administrative, civil, or criminal liability when acting
5 in good faith; providing for administrative, civil, or
6 criminal liability when not acting in good faith; and making
7 penalties applicable.
8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 169.3, Code 2025, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 9A. "Peace officer" means the same as
4 defined in section 801.4.

5 Sec. 2. Section 169.13, Code 2025, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 1A. A licensed veterinarian immune from
8 administrative, civil, or criminal liability under section
9 169.18A is not subject to disciplinary action under this chapter.
10 Any information disclosed by a licensed veterinarian acting under
11 section 169.18A is not subject to a confidentiality requirement
12 that would otherwise be applicable to the licensed veterinarian
13 under this chapter.

14 Sec. 3. NEW SECTION. **169.18A Immunity — limitations —**
15 **administrative, civil, and criminal liability.**

16 1. A licensed veterinarian, when acting in good faith and
17 in conformance within the minimal standard of acceptable and
18 prevailing practice of veterinary medicine as defined in rules
19 adopted by the board, is immune from administrative, civil, or
20 criminal liability which might otherwise be incurred or imposed
21 as a result of the licensed veterinarian doing any of the
22 following:

23 a. Cooperating with a peace officer in a matter relating
24 to the alleged conduct of a licensed veterinarian's client
25 that, if true, would constitute an offense punishable as a
26 misdemeanor or felony under chapter 717B, 717C, or 717D. The
27 licensed veterinarian may provide such cooperation in any manner
28 that assists the peace officer, including but not limited to
29 making a report to a peace officer or providing the peace officer
30 with information regarding the alleged conduct.

31 b. Cooperating with a local authority or law enforcement
32 officer, as each is defined in section 717B.1, to rescue a
33 threatened animal as provided in section 717B.5.

34 c. Participating in a dispositional proceeding or complying
35 with a court order arising from the dispositional proceeding as

1 provided in section 717B.4.

2 d. Providing competent and truthful evidence in an
3 administrative, civil, or criminal case relating to another
4 person's conduct that, if true, would constitute an offense
5 punishable as a misdemeanor or felony under chapter 717B, 717C,
6 or 717D. The licensed veterinarian may provide answers in a
7 deposition or interrogatory, testimony, record as defined in
8 section 554.1201, or other physical evidence.

9 2. A licensed veterinarian who knowingly makes a false report
10 to a peace officer or knowingly provides the peace officer
11 with false information regarding a client's alleged conduct as
12 provided in subsection 1, paragraph "a", is not acting in good
13 faith, is subject to disciplinary action by the board, is civilly
14 liable for damages proximately caused by making such report or
15 providing such information to a peace officer, and is guilty of a
16 simple misdemeanor.

17 Sec. 4. Section 670.4, subsection 1, Code 2025, is amended by
18 adding the following new paragraph:

19 NEW PARAGRAPH. Ok. A claim based on an act by a licensed
20 veterinarian when assisting a municipality in rescuing a
21 threatened animal as provided in section 717B.5, if the licensed
22 veterinarian is immune from administrative, criminal, or civil
23 liability as provided in section 169.18A, subsection 1.

24 EXPLANATION

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

27 IMMUNITY FROM LIABILITY — LIMITATIONS — ADMINISTRATIVE,
28 CIVIL, AND CRIMINAL LIABILITY. This bill amends provisions in
29 Code chapter 169, the Iowa veterinary practice Act, by providing
30 that a licensed veterinarian who acts in good faith is immune
31 from administrative, civil, or criminal liability for actions
32 involving cases of alleged animal misconduct under several Code
33 chapters. Code chapter 717B prohibits various forms of animal
34 mistreatment, including abuse, neglect, torture, and injuring
35 or interfering with a police service dog; Code chapter 717C

1 prohibits bestiality; and Code chapter 717D prohibits animal
2 contest events. The licensed veterinarian is shielded from civil
3 or criminal liability for cooperating in a criminal investigation
4 including by making a report to a peace officer or providing
5 the peace officer with information regarding a client's conduct;
6 assisting a county or city in rescuing a threatened animal;
7 participating in a civil proceeding to determine the disposition
8 of an animal or complying with a court order arising from that
9 proceeding; or providing evidence in an administrative, civil,
10 or criminal proceeding. However, the bill also provides that
11 a licensed veterinarian who knowingly makes a false report to a
12 peace officer or knowingly provides the peace officer with false
13 information regarding a client's conduct is not acting in good
14 faith, is subject to disciplinary action by the board, is civilly
15 liable for damages proximately caused by making such report or
16 providing such information to a peace officer, and is guilty
17 of a simple misdemeanor. A simple misdemeanor is punishable by
18 confinement for no more than 30 days and a fine of at least \$105
19 but not more than \$855.

20 A veterinarian is defined as any person who has received
21 a doctor of veterinary medicine degree or its equivalent from
22 an accredited or approved college of veterinary medicine (Code
23 section 169.3(12)) as compared to a licensed veterinarian who
24 also meets the exam requirements to practice veterinary medicine
25 or as otherwise prescribed by the board (Code sections 169.9 and
26 169.10).

27 BACKGROUND. The offenses in Code chapter 717B apply generally
28 to all nonhuman vertebrate animals, including dogs and cats,
29 unless specifically excluded. It does not apply to livestock
30 (Code chapter 717); game, fur-bearing animals, fish, reptiles,
31 or amphibians (Code chapter 481A), unless such animal is owned,
32 confined, or controlled by a person; or nongame animals declared
33 to be a nuisance by the natural resource commission (Code
34 chapter 481A). A local authority (city or county) may rescue a
35 threatened animal and a court may provide for the disposition

H.F. _____

1 of that animal. A threatened animal is an animal that has been
2 abused, neglected, or tortured. Code chapter 717C applies to
3 any nonhuman vertebrate animal without exception and the offense
4 involves a person's sexual contact with the animal. Code chapter
5 717D also applies to any nonhuman vertebrate animal without
6 exception and the offense involves a person participating in an
7 event organized for entertainment or profit where any animal is
8 injured, tormented, or killed.

unofficial