

**Senate File 2420 - Introduced**

SENATE FILE 2420  
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO SSB 3123)

**A BILL FOR**

1 An Act relating to agriculture, including by providing for  
2 the powers and duties of the department of agriculture and  
3 land stewardship, including the promotion and regulation of  
4 commodities and products, the regulation of the transportation  
5 of agricultural commodities, and the use of agricultural land,  
6 making penalties applicable, and including effective date  
7 provisions.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1

DIVISION I

2 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP — PROMOTION —

3

RENEWABLE FUEL INFRASTRUCTURE

4 Section 1. Section 159A.16, subsection 3, paragraphs a, b,  
5 and c, Code 2026, are amended to read as follows:

6 ~~a. For each fiscal year, not more than one million seven~~  
7 ~~hundred fifty thousand dollars shall be allocated to support~~  
8 ~~the renewable fuel infrastructure program for retail motor fuel~~  
9 ~~sites as provided in section 159A.14 to finance the installation,~~  
10 ~~replacement, or conversion of biodiesel infrastructure as~~  
11 ~~provided in that section.~~

12 ~~b.~~ a. For each fiscal year, not more than one hundred fifty  
13 thousand dollars shall be allocated to the department to support  
14 the administration of the programs.

15 ~~e.~~ b. For each fiscal year, the department may use up to  
16 three-quarters of one percent of the program funds to market  
17 the programs. Otherwise the moneys shall not be transferred,  
18 used, obligated, appropriated, or otherwise encumbered except to  
19 allocate as financial incentives under the programs.

20

DIVISION II

21 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP — PROMOTION

22

PART A

23

GENERAL

24 Sec. 2. Section 23A.2, subsection 8, Code 2026, is amended by  
25 adding the following new paragraph:

26 NEW PARAGRAPH. p. An activity carried out by the department  
27 of agriculture and land stewardship to promote the marketing of  
28 Iowa commodities and products, including as provided in chapters  
29 159 and 187.

30 Sec. 3. Section 187.201, subsection 3, Code 2026, is amended  
31 to read as follows:

32 3. Moneys in the fund are appropriated to the department and  
33 shall be used exclusively to administer the programs created  
34 in this ~~subchapter~~ chapter as determined and directed by the  
35 department, and shall not require further special authorization

1 by the general assembly.

2 PART B

3 CHOOSE IOWA PROMOTION PROGRAMS

4 Sec. 4. Section 187.301, Code 2026, is amended by adding the  
5 following new subsection:

6 NEW SUBSECTION. 1A. The department shall enroll a person as  
7 a choose Iowa member who is any of the following:

8 a. Actively participating in the program by producing,  
9 processing, or marketing Iowa agricultural products originating  
10 as commodities produced on Iowa farms.

11 b. Otherwise supporting the program as required by the  
12 department.

13 Sec. 5. Section 187.301, subsection 2, Code 2026, is amended  
14 by adding the following new paragraph:

15 NEW PARAGRAPH. c. The department may adopt rules providing  
16 for choose Iowa membership criteria.

17 Sec. 6. Section 187.303, subsections 1 and 2, Code 2026, are  
18 amended to read as follows:

19 1. A person may apply to the department to ~~participate~~ enroll  
20 as a member in the choose Iowa promotional program according to  
21 procedures established by rules adopted by the department. The  
22 department shall evaluate and approve or disapprove ~~applications~~  
23 an application based on criteria established by rules adopted by  
24 the department. The department may disapprove an application if  
25 the department determines the applicant's use of the choose Iowa  
26 logo would be associated with the consumption of an adulterated  
27 or illegal food item.

28 2. The department may enter into a licensing agreement with  
29 a person ~~participating~~ enrolled as a member in the program.

30 ~~The participating person~~ A member may use the choose Iowa logo  
31 to advertise a ~~food item~~ product originating as an agricultural  
32 commodity produced on an Iowa farm, subject to terms and  
33 conditions required by rules adopted by the department. A  
34 licensing agreement shall not be for more than one year.

35 Sec. 7. NEW SECTION. **187.307 Choose Iowa school purchasing**

1 **program.**

2 1. There is created within the department a choose Iowa  
3 school purchasing program.

4 2. The department shall administer the program according to  
5 all of the following:

6 a. A farm or business shall be eligible to participate in the  
7 program if the farm or business is enrolled as a member of the  
8 choose Iowa promotional program as provided in this part 1 of  
9 subchapter III.

10 b. A school or school district is eligible to participate in  
11 the program, if recognized by the department.

12 c. A qualified food product is limited to meat and poultry,  
13 dairy products other than milk, grains, flour, eggs, honey, and  
14 produce.

15 3. a. An eligible school or school district purchasing a  
16 qualified food product from an eligible farm or business shall be  
17 reimbursed on a matching basis with the department contributing  
18 one dollar for every one dollar expended by the eligible school  
19 or school district.

20 b. The department may establish by rule the method and  
21 limitations for determining the amount of funding available to  
22 each school or school district under this section.

23 c. Notwithstanding paragraph "b", if the department  
24 determines that there are not sufficient moneys to satisfy all  
25 claims that may be submitted by schools and school districts, the  
26 department shall provide for the distribution of the available  
27 moneys in a manner determined equitable by the department, which  
28 may include a prorated distribution to participating schools and  
29 school districts.

30 4. The department may administer the program in cooperation  
31 with the department of education and the participating school or  
32 school district in which a participating school is located.

33 5. The department may use not more than five percent of the  
34 moneys appropriated to support the program in a fiscal year to  
35 pay for the costs of administering the program.

1 6. The department shall prepare and submit a report regarding  
2 its findings and recommendations to the governor and general  
3 assembly not later than July 31 of each year.

4 Sec. 8. Section 187.331, Code 2026, is amended to read as  
5 follows:

6 **187.331 Choose Iowa food bank purchasing program.**

7 1. There is created within the department a choose Iowa food  
8 bank purchasing program.

9 2. The department shall administer the program according to  
10 all of the following requirements:

11 a. ~~A farm or business that owns or operates the farm source~~  
12 ~~shall be given a preference to participate in the program if~~  
13 ~~the farm or business is currently participating~~ eligible to  
14 participate in the program if the farm or business is enrolled  
15 as a member in the choose Iowa promotional program as provided in  
16 this part 1 of subchapter III. Otherwise, a farm or business may  
17 participate in the program if the farm or business has applied  
18 to participate in the choose Iowa promotional program and the  
19 department determines that the application will be approved.

20 b. An eligible participant is limited to any Iowa food bank  
21 or an Iowa emergency feeding organization, recognized by the  
22 department.

23 c. A qualified food product is limited to meat and poultry,  
24 dairy products, grains, flour, eggs, honey, and produce.

25 ~~3. a. Of the moneys appropriated to support the program in~~  
26 ~~a fiscal year, not more than two hundred thousand dollars shall~~  
27 ~~be used to reimburse Iowa food banks and Iowa emergency feeding~~  
28 ~~organizations.~~

29 ~~b. 3. a.~~ An eligible participant Iowa food bank or an  
30 emergency feeding organization purchasing a qualified food  
31 product from an eligible farm or business shall be reimbursed on  
32 a matching basis with the department contributing one dollar for  
33 every one dollar expended by the eligible participant Iowa food  
34 bank or emergency feeding organization.

35 ~~e. b.~~ An Iowa food bank or Iowa emergency feeding

1 organization shall not receive more than fifty thousand dollars  
2 per fiscal year for participating in the program.

3 4. c. The department may use not more than five percent of  
4 the moneys appropriated to support the program in a fiscal year  
5 to pay for the costs of administering the program.

6 5. 4. The department shall prepare and submit a report  
7 regarding its findings and recommendations to the governor and  
8 general assembly not later than ~~January 15~~ July 31 of each year.

9 ~~6. This section is repealed July 1, 2030.~~

10 Sec. 9. Section 190A.2, subsections 5 and 9, Code 2026, are  
11 amended by striking the subsections.

12 Sec. 10. Section 190A.2, subsection 7, Code 2026, is amended  
13 to read as follows:

14 7. "Program" means the farm-to-school program created in  
15 section ~~190A.6~~ 190A.3.

16 Sec. 11. Section 190A.3, subsection 1, Code 2026, is amended  
17 to read as follows:

18 1. The A farm-to-school program is created within the  
19 department. The program shall seek to link elementary and  
20 secondary public and nonpublic schools in this state with Iowa  
21 farms to provide schools with fresh and minimally processed food  
22 products for inclusion in school meals and snacks, encourage  
23 children to develop healthy eating habits, and provide Iowa  
24 farmers access to consumer markets.

25 Sec. 12. Section 190A.5, subsection 3, Code 2026, is amended  
26 to read as follows:

27 3. Moneys in the fund are appropriated to support the  
28 farm-to-school program in a manner determined by the department,  
29 including for reasonable administrative costs incurred by the  
30 department. However, the department shall not expend more than  
31 four percent of moneys existing at any one time in the fund  
32 during each fiscal year for purpose of paying costs associated  
33 with the administration of the program and fund incurred by  
34 the department during that fiscal year. Moneys expended from  
35 the fund shall not require further special authorization by the

1 general assembly.

2 Sec. 13. REPEAL. Section 190A.6, Code 2026, is repealed.

3 Sec. 14. CODE EDITOR DIRECTIVE.

4 1. The Code editor is directed to make the following  
5 transfers:

6 a. Section 187.331 to section 187.308.

7 b. Section 159.25 to section 187.309.

8 2. The Code editor shall correct internal references in the  
9 Code and in any enacted legislation as necessary due to the  
10 enactment of this section.

11 PART C

12 INNOVATION AND REVITALIZATION PROGRAMS

13 Sec. 15. Section 187.311, Code 2026, is amended by adding the  
14 following new subsection:

15 NEW SUBSECTION. 5A. The department may give priority to an  
16 applicant who is a beginning farmer.

17 Sec. 16. NEW SECTION. **187.315 Butchery innovation and**  
18 **revitalization program.**

19 1. A butchery innovation and revitalization program is  
20 created within the department. The purpose of the program is  
21 to promote the development, modernization, and expansion of this  
22 state's butchery industry.

23 2. In administering the program, the department shall award  
24 financial assistance to eligible businesses to support projects  
25 that do one or more of the following:

26 a. To expand or refurbish an existing, or to establish a new,  
27 state-inspected small-scale meat processing business.

28 b. To expand or refurbish an existing, or to establish a new,  
29 federally inspected small-scale meat processing business.

30 c. To expand or refurbish an existing, or to establish a new,  
31 licensed custom locker.

32 d. To expand or refurbish an existing, or to establish a  
33 new, mobile slaughter unit that operates in compliance with  
34 the most current mobile slaughter unit compliance guide issued  
35 by the United States department of agriculture food safety and

1 inspection service.

2 e. To rent buildings, refrigeration facilities, freezer  
3 facilities, or equipment necessary to expand processing  
4 capacity, including mobile slaughter or refrigeration units used  
5 exclusively for meat or poultry processing.

6 3. The department shall establish eligibility criteria for  
7 the program. The eligibility criteria must include all of the  
8 following:

9 a. The business must be located in this state.

10 b. The business must not have been subject to any  
11 regulatory enforcement action related to federal, state, or local  
12 environmental, worker safety, food processing, or food safety  
13 laws, rules, or regulations within the last five years.

14 c. The business must only employ individuals legally  
15 authorized to work in this state.

16 d. The business must not currently be in bankruptcy.

17 e. The business must employ less than two hundred full-time  
18 nonseasonal individuals.

19 4. An eligible business seeking financial assistance under  
20 this section shall make application to the department in the  
21 manner and on forms prescribed by the department.

22 5. Applications for financial assistance under this section  
23 shall be accepted during one or more annual application periods  
24 established by the department. Upon reviewing and scoring all  
25 applications that are received during an application period,  
26 and subject to the availability of moneys, the department may  
27 award financial assistance to eligible businesses. A financial  
28 assistance award shall not exceed the amount of eligible project  
29 costs included in the eligible business's application. Priority  
30 shall be given to eligible businesses whose proposed project or  
31 projects under subsection 2 are most likely to do one or more of  
32 the following:

33 a. Create new jobs.

34 b. Create or expand opportunities for local small-scale  
35 farmers to market processed meat under private labels.

1 c. Provide greater flexibility or convenience for local  
2 small-scale farmers to have animals processed.

3 6. An eligible business that is awarded financial assistance  
4 under this section may apply for financial assistance under other  
5 programs administered by the department.

6 Sec. 17. REPEAL. Section 15E.370, Code 2026, is repealed.

7 DIVISION III

8 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP REGULATION —

9 ANIMAL HEALTH

10 Sec. 18. Section 163.1, Code 2026, is amended by adding the  
11 following new subsection:

12 NEW SUBSECTION. 7A. Lease facilities in order to carry out  
13 and administer the provisions of this chapter related to an  
14 infectious or contagious disease or a foreign animal disease  
15 preparedness and response effort.

16 Sec. 19. NEW SECTION. **163.2B Confidentiality.**

17 1. Notwithstanding section 22.7, all information and records  
18 relating to an infectious or contagious disease received  
19 or collected by the department pursuant to this chapter,  
20 including rules adopted under this chapter by the department, is  
21 confidential to the extent it identifies any of the following:

22 a. The name, address, and contact information of any person  
23 owning or caring for an animal suspected of or being affected  
24 with any infectious or contagious disease.

25 b. Any location where an animal suspected of or being  
26 affected with any infectious or contagious disease has been kept.

27 c. Information that when considered together leads to the  
28 identity of a person described in paragraph "a" or a location or  
29 premises described in paragraph "b".

30 2. Notwithstanding subsection 1, the department, in acting as  
31 the lawful custodian of the confidential record, may disclose the  
32 record or any part of the record if it is deemed necessary by the  
33 state veterinarian to protect the public health or the health or  
34 well-being of animals within the state.

35 DIVISION IV

1 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP — REGULATION —  
2 WEIGHTS AND MEASURES

3 Sec. 20. Section 210.1, Code 2026, is amended to read as  
4 follows:

5 **210.1 ~~Standard established~~ Weights and measures standards —**  
6 **compliance with federal law.**

7 ~~The weights and measures which have been presented by the~~  
8 ~~department to the United States national institute of standards~~  
9 ~~and technology and approved, standardized, and certified by~~  
10 ~~the institute in accordance with the laws of the Congress of~~  
11 ~~the United States shall be the standard weights and measures~~  
12 throughout the state regulated under this chapter shall conform  
13 with Iowa's state primary standard of weights and measures as  
14 described in section 215.1B.

15 Sec. 21. Section 213.1, Code 2026, is amended to read as  
16 follows:

17 **213.1 State metrologist.**

18 ~~The department~~ secretary of agriculture may designate one  
19 ~~of its assistants~~ the bureau chief of the department's weights  
20 and measures bureau to act as state metrologist of weights  
21 and measures. ~~All weights and measures sealed by the state~~  
22 ~~metrologist shall be impressed with the word "Iowa."~~ The  
23 bureau chief is the appropriate state official responsible  
24 for cooperating with the national institute of standards and  
25 technology as defined in section 215.1 and in the administration  
26 of weights and measures as regulated in this subtitle.

27 Sec. 22. Section 213.2, Code 2026, is amended to read as  
28 follows:

29 **213.2 ~~Physical~~ United States standards — conformity.**

30 ~~Weights and measures, which conform to the standards of the~~  
31 ~~United States national institute of standards and technology~~  
32 ~~existing as of January 1, 1979, that are metrologically traceable~~  
33 ~~to the United States standards supplied by the federal government~~  
34 ~~or approved as being in compliance with its standards~~ recognized  
35 by the national bureau institute of standards and technology

1 shall be ~~the~~ Iowa's state primary standard of weights and  
 2 measures as verified by the department. ~~Such~~ The traceable  
 3 standards of weights and measures shall be verified upon their  
 4 initial receipt of same by the department and as often as  
 5 deemed necessary by the ~~secretary of agriculture~~ department. The  
 6 ~~secretary~~ department may ~~provide for the alteration in~~ revise  
 7 the state primary standard of weights and measures in order to  
 8 maintain metrological traceability with the ~~standard~~ standards of  
 9 the ~~United States~~ national institute of standards and technology.  
 10 ~~All such alterations~~ The verification or revision shall be made  
 11 pursuant to rules ~~promulgated~~ adopted by the ~~secretary~~ department  
 12 in accordance with chapter 17A.

13 Sec. 23. Section 214.3, subsection 1, Code 2026, is amended  
 14 to read as follows:

15 1. A license fee is imposed on a person who uses or displays  
 16 for use a commercial weighing and measuring device. The license  
 17 fee is due the day the department issues the license. The amount  
 18 of the license fee shall be calculated in accordance with the  
 19 class or section for devices as established by handbook 44 of the  
 20 ~~United States~~ national institute of standards and technology.

21 Sec. 24. Section 215.1, subsection 1, Code 2026, is amended  
 22 to read as follows:

23 1. a. "Commercial weighing and measuring device" or "device"  
 24 means a weight or measure or weighing or measuring device used to  
 25 establish size, quantity, area or other quantitative measurement  
 26 of a commodity sold by weight or measurement, or ~~where~~ when the  
 27 price to be paid for producing the commodity is based upon the  
 28 weight or measurement of the commodity. ~~The term~~

29 b. "Commercial weighing and measuring device" includes an any  
 30 of the following:

31 (1) An accessory attached to or used in connection with  
 32 a commercial weighing or measuring device when the accessory  
 33 is so designed or installed that its operation may affect the  
 34 accuracy of the device. ~~"Commercial weighing and measuring~~  
 35 ~~device" includes a~~

1     (2) A public scale or a commercial scanner.

2     Sec. 25. Section 215.1, Code 2026, is amended by adding the  
3 following new subsection:

4     NEW SUBSECTION. 3A. "National institute of standards and  
5 technology" means the national institute of standards and  
6 technology established within the United States department of  
7 commerce pursuant to 15 U.S.C. §272.

8     Sec. 26. Section 215.1A, Code 2026, is amended to read as  
9 follows:

10     **215.1A Inspections.**

11     1. The Except as otherwise expressly provided by statute, the  
12 department shall regularly of agriculture and land stewardship  
13 may inspect all any commercial weighing and measuring devices,  
14 and when device. If the department receives a complaint is made  
15 to the department that any false or incorrect alleging weights  
16 or measures are being made inaccurately recorded by a device, the  
17 department shall inspect the commercial weighing and measuring  
18 devices which caused the complaint device.

19     2. The department may inspect a prepackaged goods good to  
20 determine the accuracy of their its recorded weights weight.

21     3. a. The department may order the owner of the device or a  
22 service agency that installed, serviced, or repaired the device,  
23 to deliver to the department one or more of the service agency's  
24 most recent test reports documenting the device's accuracy.

25     b. (1) Except as provided in subparagraph (2), the delivery  
26 of a report may be in lieu of an inspection.

27     (2) The department shall provide for an inspection of any of  
28 the following:

29     (a) A motor fuel pump as required in section 214.11.

30     (b) A moisture-measuring device as required in section  
31 215A.2.

32     (c) A charging station dispensing electric fuel as required  
33 in section 452A.41.

34     Sec. 27. Section 215.14, subsection 3, Code 2026, is amended  
35 to read as follows:

1 3. Before approval by the department, the specifications for  
2 a commercial weighing and measuring device shall be furnished to  
3 the purchaser of the device by the manufacturer. The approval  
4 shall be based upon the recommendation of the ~~United States~~  
5 national institute of standards and technology.

6 Sec. 28. Section 215.19, Code 2026, is amended to read as  
7 follows:

8 **215.19 Automatic recorders on scales.**

9 Except for ~~scales~~ a scale used by ~~packers~~ a packer  
10 slaughtering fewer than one hundred twenty head of livestock  
11 per day, ~~all scales~~ a scale with a capacity over five hundred  
12 pounds, ~~which are used for commercial purposes, in this state,~~  
13 ~~and installed after January 1, 1981,~~ shall be equipped with a  
14 type-registering weigh beam, a dial with a mechanical ticket  
15 printer, an automatic weight recorder, or some similar commercial  
16 weighing and measuring device, which shall be used for printing  
17 or stamping the weight values on scale tickets. A scale or  
18 similar device equipped with a malfunctioning automatic weight  
19 recorder ~~may~~ shall not be used for ~~not~~ more than seven days  
20 if the scale or similar device is unable to print or stamp  
21 the ticket ~~so long as~~ and only if a repair to the automatic  
22 recorder is immediately initiated and the user dates, signs,  
23 and accurately handwrites the required information on the ticket  
24 until the scale or similar device is operational.

25 Sec. 29. Section 215.23, subsection 2, Code 2026, is amended  
26 to read as follows:

27 2. In determining a servicer's qualifications, the department  
28 may consider the specifications of the ~~United States~~  
29 national institute of standards and technology, handbook 44,  
30 "Specifications, Tolerances, and Technical Requirements for  
31 Weighing and Measuring Devices", or the current successor or  
32 equivalent specifications adopted by the ~~United States~~ national  
33 institute of standards and technology.

34 Sec. 30. Section 452A.40, Code 2026, is amended by adding the  
35 following new subsection:

1 NEW SUBSECTION. 5A. "National institute of standards and  
2 technology" means the same as defined in section 215.1.

3 Sec. 31. REPEAL. Sections 213.3 and 213.7, Code 2026, are  
4 repealed.

5 Sec. 32. CODE EDITOR DIRECTIVE.

6 1. The Code editor is directed to make the following  
7 transfers:

8 a. Section 213.1 to section 215.1B.

9 b. Section 213.2 to section 215.1C.

10 c. Section 215.18 to section 215.1D.

11 d. Section 215.1A to section 215.1E.

12 2. The Code editor shall correct internal references in the  
13 Code and in any enacted legislation as necessary due to the  
14 enactment of this section.

15 DIVISION V

16 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP REGULATION —

17 GRAIN MARKETING

18 PART A

19 GRAIN DEALERS

20 Sec. 33. Section 203.3, subsection 4, paragraph b, Code 2026,  
21 is amended to read as follows:

22 b. (1) The grain dealer shall submit to the department,  
23 as required by the department, a financial statement that  
24 is accompanied by an unqualified opinion based upon an audit  
25 performed by a certified public accountant licensed in this  
26 state.

27 (2) Notwithstanding subparagraph (1), if a grain dealer does  
28 not purchase grain by credit-sale contract, the department may  
29 accept any of the following:

30 (a) A qualification in an opinion based on an audit that  
31 is unavoidable by any audit procedure that is permitted under  
32 generally accepted accounting principles. An opinion that is  
33 qualified because of a limited audit procedure or because the  
34 scope of an audit is limited shall not be accepted by the  
35 department.

1     (b) A financial statement that is accompanied by the report  
2 of a certified public accountant licensed in this state. The  
3 report must be based upon a review performed by the certified  
4 public accountant. The report shall be in lieu of an unqualified  
5 opinion based on an audit. However, at any time, upon good  
6 cause, the department may require the grain dealer to submit  
7 to the department a subsequent financial statement that is  
8 accompanied by the report.

9     (3) The department shall not require ~~that~~ a grain dealer to  
10 submit to the department more than one such unqualified opinion  
11 based on an audit per year.

12     (4) A grain dealer shall submit one or more financial  
13 statements to the department in addition to the financial  
14 statement accompanied by an unqualified opinion based on an audit  
15 as required in this paragraph if the department determines that  
16 it is necessary to verify the grain dealer's financial status or  
17 compliance with this section.

18     Sec. 34. Section 203.3, subsection 5, paragraph b, Code 2026,  
19 is amended to read as follows:

20     b. (1) The grain dealer shall submit to the department,  
21 as required by the department, a financial statement that  
22 is accompanied by an unqualified opinion based upon an audit  
23 performed by a certified public accountant licensed in this  
24 state.

25     (2) Notwithstanding subparagraph (1), the department may  
26 accept any of the following:

27     (a) A qualification in an opinion based on an audit that  
28 is unavoidable by any audit procedure that is permitted under  
29 generally accepted accounting principles. An opinion that is  
30 qualified because of a limited audit procedure or because the  
31 scope of an audit is limited shall not be accepted by the  
32 department.

33     (b) A financial statement that is accompanied by the report  
34 of a certified public accountant licensed in this state. The  
35 report must be based upon a review performed by the certified

1 public accountant. The report shall be in lieu of an unqualified  
2 opinion based on an audit. However, at any time, upon good  
3 cause, the department may require the grain dealer to submit  
4 to the department a subsequent financial statement that is  
5 accompanied by the report.

6 (3) The department shall not require ~~that~~ a grain dealer to  
7 submit to the department more than one ~~such~~ unqualified opinion  
8 based on an audit per year.

9 (4) A grain dealer shall submit one or more financial  
10 statements to the department in addition to the financial  
11 statement accompanied by an unqualified opinion based on an audit  
12 required in this paragraph if the department determines that it  
13 is necessary to verify the grain dealer's financial status or  
14 compliance with this section.

15 Sec. 35. Section 203.8, subsection 2, paragraph a, Code 2026,  
16 is amended to read as follows:

17 a. (1) "Delivery" Subject to subparagraph (2), "delivery"  
18 means the transfer of title to and possession of grain by a  
19 seller to a grain dealer or to another person in accordance with  
20 the terms of an agreement of ~~of~~ by the seller and the grain dealer.

21 (2) Unless title to grain was previously transferred pursuant  
22 to an ordinary cash-sale contract, title to grain sold by  
23 credit-sale contract is deemed to have transferred to the grain  
24 dealer when all of the following occurs:

25 (a) The credit-sale contract is signed by both the grain  
26 dealer and the seller.

27 (b) The grain dealer has possession of the grain or another  
28 person has possession of the grain in accordance with the terms  
29 of the credit-sale contract.

30 Sec. 36. Section 203.12, subsection 1, Code 2026, is amended  
31 to read as follows:

32 1. Upon the cessation of a grain dealer license ~~by~~  
33 ~~revocation, cancellation, or expiration pursuant to section~~  
34 203.10 or upon the filing of a petition in bankruptcy by a  
35 grain dealer, any claim for the purchase price of grain against

1 the grain dealer shall be made in writing and filed with the  
2 grain dealer and with the issuer of a deficiency bond or of  
3 an irrevocable letter of credit and with the department within  
4 one hundred twenty days after the date of the cessation or the  
5 filing of a petition in bankruptcy, whichever occurs earlier. A  
6 failure to make this timely claim relieves the issuer and the  
7 grain depositors and sellers indemnity fund provided in chapter  
8 203D of all obligations to the claimant.

9 Sec. 37. Section 203.12A, subsection 5, Code 2026, is amended  
10 to read as follows:

11 5. The Iowa grain indemnity fund board, upon written demand  
12 of the grain dealer, shall file a termination statement with the  
13 secretary of state, if after one hundred eighty days from the  
14 date that the lien is perfected the grain dealer's license has  
15 not ceased ~~by revocation, cancellation, or expiration~~ pursuant to  
16 section 203C.10. Upon filing the termination statement, the lien  
17 becomes unperfected. The board shall also deliver a copy of the  
18 termination statement to the grain dealer.

19 PART B

20 GRAIN OPERATORS

21 Sec. 38. Section 203C.6, subsection 4, paragraph b, Code  
22 2026, is amended to read as follows:

23 b. (1) The warehouse operator shall submit to the  
24 department, as required by the department, a financial statement  
25 that is accompanied by an unqualified opinion based upon an  
26 audit performed by a certified public accountant licensed in this  
27 state.

28 (2) Notwithstanding subparagraph (1), the department may  
29 accept any of the following:

30 (a) A qualification in an opinion based on an audit that  
31 is unavoidable by any audit procedure that is permitted under  
32 generally accepted accounting principles. An opinion that is  
33 qualified because of a limited audit procedure or because the  
34 scope of an audit is limited shall not be accepted by the  
35 department.

1     (b) A financial statement that is accompanied by the report  
2 of a certified public accountant licensed in this state. The  
3 report must be based upon a review performed by the certified  
4 public accountant. The report shall be in lieu of an unqualified  
5 opinion based on an audit. However, at any time, upon good  
6 cause, the department may require the warehouse operator to  
7 submit to the department a subsequent financial statement that is  
8 accompanied by the report.

9     (3) The department shall not require ~~that~~ a warehouse  
10 operator to submit to the department more than one such  
11 unqualified opinion based on an audit per year.

12     (4) A warehouse operator shall submit one or more financial  
13 statements to the department in addition to the financial  
14 statement accompanied by an unqualified opinion based on an audit  
15 as required in this paragraph if the department determines that  
16 it is necessary to verify the warehouse operator's financial  
17 status or compliance with this section.

18     Sec. 39. Section 203C.6, subsection 5, paragraph b, Code  
19 2026, is amended to read as follows:

20     b. (1) The warehouse operator shall submit to the  
21 department, as required by the department, a financial statement  
22 that is accompanied by an unqualified opinion based upon an  
23 audit performed by a certified public accountant licensed in this  
24 state.

25     (2) Notwithstanding subparagraph (1), the department may  
26 accept any of the following:

27     (a) A qualification in an opinion based on an audit that  
28 is unavoidable by any audit procedure that is permitted under  
29 generally accepted accounting principles. An opinion that is  
30 qualified because of a limited audit procedure or because the  
31 scope of an audit is limited shall not be accepted by the  
32 department.

33     (b) A financial statement that is accompanied by the report  
34 of a certified public accountant licensed in this state. The  
35 report must be based upon a review performed by the certified

1 public accountant. The report shall be in lieu of an unqualified  
2 opinion based on an audit. However, at any time, upon good  
3 cause, the department may require the warehouse operator to  
4 submit to the department a subsequent financial statement that is  
5 accompanied by the report.

6 (3) The department shall not require ~~that~~ a warehouse  
7 operator to submit more than one ~~such~~ unqualified opinion based  
8 on an audit per year.

9 (4) A warehouse operator shall submit one or more financial  
10 statements to the department in addition to the financial  
11 statement accompanied by an unqualified opinion based on an audit  
12 as required in this paragraph if the department determines that  
13 it is necessary to verify the warehouse operator's financial  
14 status or compliance with this section.

15 Sec. 40. Section 203C.12A, subsection 5, Code 2026, is  
16 amended to read as follows:

17 5. The Iowa grain indemnity fund board shall upon written  
18 demand of the warehouse operator file a termination statement  
19 with the secretary of state, if after one hundred eighty days  
20 from the date that the lien is perfected the warehouse operator's  
21 license has not ceased by ~~revocation, cancellation, or expiration~~  
22 pursuant to section 203C.10. Upon filing the termination  
23 statement, the lien becomes unperfected. The board shall also  
24 deliver a copy of the termination statement to the warehouse  
25 operator.

26 Sec. 41. Section 203C.14, subsection 2, paragraphs a and c,  
27 Code 2026, are amended to read as follows:

28 a. Upon the cessation of a warehouse operator's license ~~due~~  
29 ~~to revocation, cancellation, or expiration~~ pursuant to section  
30 203C.10 or upon the filing of a petition in bankruptcy by  
31 a warehouse operator, a claim against the warehouse operator  
32 arising under this chapter shall be made in writing with the  
33 warehouse operator, with the issuer of a bond on agricultural  
34 products other than bulk grain, a deficiency bond, or an  
35 irrevocable letter of credit, and, if the claim relates to bulk

1 grain, with the department. The claim must be made within one  
2 hundred twenty days after the cessation of the license or the  
3 filing of a petition in bankruptcy, whichever occurs earlier.  
4 The failure to make a timely claim relieves the issuer and, if  
5 the claim relates to bulk grain, the grain depositors and sellers  
6 indemnity fund provided in chapter 203D of all obligations to the  
7 claimant.

8 c. This subsection does not apply if a receiver is appointed  
9 as provided in this chapter pursuant to a petition ~~which~~ that is  
10 filed by the department prior to the expiration of one hundred  
11 twenty days after cessation of a warehouse operator's license  
12 pursuant to section 203C.10.

13 Sec. 42. Section 203C.18, subsection 3, Code 2026, is amended  
14 to read as follows:

15 3. A form for a warehouse receipt shall only be printed by  
16 a person approved by the department. A form for a warehouse  
17 receipt shall be printed in accordance with specifications set  
18 forth by the department. A warehouse operator shall surrender to  
19 the department all forms for warehouse receipts that are unused  
20 at the time that the warehouse operator's license is suspended  
21 ~~or ceases due to revocation, cancellation, or expiration~~ pursuant  
22 to section 203C.10. The warehouse operator shall surrender the  
23 warehouse receipts in a manner required by the department.

24 PART C

25 GRAIN DEPOSITORS AND SELLERS INDEMNIFICATION

26 Sec. 43. Section 203D.3A, subsection 2, Code 2026, is amended  
27 by adding the following new paragraph:

28 NEW PARAGRAPH. e. (1) If the per-bushel fee is passed on to  
29 a seller, the per-bushel fee shall occur at the time of payment.

30 (2) As used in subparagraph (1), "payment" means the same as  
31 defined in section 203.8.

32 Sec. 44. Section 203D.6, subsection 8, paragraph a, Code  
33 2026, is amended to read as follows:

34 a. Upon a determination by the board that an eligible claim  
35 satisfies the requirements in subsection 4, the board shall

1 indemnify the claimant as a depositor under subsection 5, and a  
2 seller under subsection 6. Upon a determination by the board  
3 that an eligible repayment claim was filed by that seller under  
4 section 203D.6A, ~~derives from the same covered transaction during~~  
5 ~~the claim period, and the repayment loss incurred for that claim,~~  
6 the board shall indemnify the claimant as a seller subject to the  
7 requirements of this section ~~and section 203D.6A.~~

8 Sec. 45. Section 203D.6A, subsection 2, Code 2026, is amended  
9 to read as follows:

10 2. To be timely, a seller must file a repayment claim with  
11 the department not later than sixty days after the amount of the  
12 seller's loss is finalized by a bankruptcy court, whether by an  
13 order issued, judgment entered, or settlement agreement approved.  
14 However, if a seller's loss is based upon a bankruptcy court's  
15 default judgment, to be timely, the seller must file a repayment  
16 claim with the department not later than sixty days after the  
17 bankruptcy court's default judgment is entered or a subsequent  
18 settlement agreement is approved and entered, whichever is later.

19 DIVISION VI

20 DEPARTMENT OF TRANSPORTATION REGULATION — MOTOR VEHICLES

21 PART A

22 MILK HAULERS

23 Sec. 46. Section 321E.29B, subsection 1, Code 2026, is  
24 amended to read as follows:

25 1. Notwithstanding section 321E.8, the ~~department~~  
26 permit-issuing authority may issue annual permits for the  
27 operation of vehicles or combinations of vehicles transporting  
28 fluid milk products to or from a milk plant, receiving station,  
29 or transfer station, exceeding the weight limitation of section  
30 321.463 but not exceeding a gross weight of ~~ninety-six~~ one  
31 hundred thirty-six thousand pounds, ~~on primary roads and primary~~  
32 ~~road extensions in cities.~~ The department shall establish rules  
33 regarding minimum distances for axle configurations.

34 Sec. 47. EFFECTIVE DATE. This part of this division of this  
35 Act takes effect January 1, 2027.

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PART B

IMPLEMENTS OF HUSBANDRY

Sec. 48. Section 321.457, subsection 2, paragraph f, Code 2026, is amended to read as follows:

f. (1) A trailer or semitrailer, laden or unladen, shall not have an overall length in excess of fifty-three feet when operating in a truck tractor-semitrailer combination exclusive of retractable extensions used to support the load. However, when a trailer or semitrailer is used exclusively for the transportation of passenger vehicles, light delivery trucks, panel delivery trucks, pickup trucks, recreational vehicle chassis, or boats, the load carried on the trailer or semitrailer may extend up to three feet beyond the front bumper and up to four feet beyond the rear bumper of the trailer or semitrailer.

(2) A lowboy semitrailer, laden or unladen, ~~which~~ that is designed and exclusively used for the transportation of either construction equipment or an implement of husbandry shall not have an overall length in excess of fifty-seven feet when used in a truck tractor-semitrailer combination.

DIVISION VII

AGRICULTURAL TOURISM

Sec. 49. Section 673A.3, subsection 6, paragraph b, Code 2026, is amended to read as follows:

b. "Farm" includes but is not limited to a farm field, orchard, tree farm, nursery, greenhouse, garden, elevator, seedhouse, barn, warehouse, animal feeding operation structure, winery, brewery, distillery, or any personal property located on the land including machinery or equipment used in the production of a farm commodity.

Sec. 50. Section 673A.3, subsection 9, Code 2026, is amended to read as follows:

9. "Farm crop" means a plant or fungus used for food, animal feed, fiber, ~~or~~ oil, energy, or decoration, including any of the following:

a. A forage or cereal plant, including but not limited to

1 alfalfa, barley, buckwheat, corn, flax, forage, millet, oats,  
2 popcorn, rye, sorghum, soybeans, sunflowers, wheat, and grasses  
3 used for forage or silage.

4 b. Edible or ornamental produce, including but not limited  
5 to fruit such as apples, cherries, peaches, pears, berries, and  
6 grapes; vegetables such as asparagus, broccoli, and carrots;  
7 lentils; tubers; squashes and pumpkins; gourds; nuts; maple  
8 syrup; mushrooms; Christmas trees; and flowers.

9 c. Honey.

10 DIVISION VIII

11 LAND USE

12 Sec. 51. Section 335.2, Code 2026, is amended by adding the  
13 following new subsection:

14 NEW SUBSECTION. 4. As used in subsection 1, an agricultural  
15 purpose includes but is not limited to an agricultural  
16 tourism activity or event, value-added agricultural processing,  
17 direct-to-consumer marketing, or other on-farm enterprises that  
18 support the economic viability of the farm.

19 Sec. 52. Section 335.28, Code 2026, is amended to read as  
20 follows:

21 **335.28 Agricultural experiences experience.**

22 1. a. For purposes of this section, "agricultural  
23 experience" includes but is not limited to any  
24 agriculture-related activity, or agriculture-related event, ~~as a~~  
25 that constitutes a secondary use in conjunction with agricultural  
26 production, on a farm which if the agriculture-related activity,  
27 or agriculture-related event, is located on a farm and open  
28 to the public with for the intended purpose of promoting or  
29 educating the public about agriculture, agricultural practices,  
30 agricultural activities, or agricultural products.

31 b. "Agricultural experience" also includes any of the  
32 following:

33 (1) Agricultural tourism activities, such as recreational,  
34 entertainment, dining, or celebratory events, or short-term  
35 rental opportunities offered on a working farm, so long as the

1 farm's primary use remains agricultural production.

2 (2) A fair event conducted on a fairgrounds under the  
3 management or control of a fair as defined in section 174.1.

4 2. To assist in the promotion of agricultural experiences,  
5 a county shall not require a conditional use permit, special  
6 use permit, special exception, or variance for an agricultural  
7 experiences experience on property of which the primary use is  
8 agricultural production.

9 Sec. 53. EFFECTIVE DATE. This division of this Act, being  
10 deemed of immediate importance, takes effect upon enactment.

11 Sec. 54. APPLICABILITY. Any conditional use permit, special  
12 use permit, special exception, or variance described in section  
13 335.28, as amended by this division of this Act, is void and  
14 unenforceable.

15 EXPLANATION

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

18 GENERAL. This bill amends a number of Code chapters relating  
19 to agriculture, including providing for the powers and duties of  
20 the department of agriculture and land stewardship (DALs). The  
21 bill provides for the promotion and regulation of commodities  
22 and regulation by DALs, including fees, and the transportation  
23 of agricultural items by the department of transportation (DOT).  
24 The bill provides for the use of agricultural land, including  
25 agricultural tourism.

26 DIVISION I — DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
27 — PROMOTION — RENEWABLE FUEL INFRASTRUCTURE — BACKGROUND. Code  
28 chapter 159A, subchapter II, authorizes DALs to administer a  
29 renewable fuel infrastructure program for retail motor fuel  
30 sites (Code section 159.14) and a renewable fuel infrastructure  
31 program for biodiesel terminal facilities (Code section 159A.15).  
32 The purpose of the program is to finance the improvement of  
33 facilities used to store, blend, or dispense renewable fuels,  
34 commonly derived from corn or soybeans. The programs are  
35 supported by the renewable fuel infrastructure fund (Code section

1 159A.16), which is appropriated \$5 million each fiscal year (Code  
2 section 159.17).

3 DIVISION I — DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
4 — PROMOTION — RENEWABLE FUEL INFRASTRUCTURE — BILL'S  
5 PROVISIONS. This division increases the amount of moneys  
6 appropriated from the renewable fuel infrastructure fund each  
7 fiscal year for administrative costs incurred by DALs from  
8 \$100,000 to \$150,000.

9 DIVISION II — DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
10 — PROMOTION — BACKGROUND. Code chapter 189 authorizes DALs to  
11 administer a number of programs providing for the promotion of  
12 agriculture in this state. The Code chapter provides for the  
13 financing of the programs, including the creation of a choose  
14 Iowa fund (Code section 187.201). The Code chapter provides for  
15 a choose Iowa promotional program that supports the marketing  
16 of agricultural commodities and processed products originating  
17 from Iowa farms (Code section 187.301). The choose Iowa program  
18 allows a person to register as a seller of Iowa commodities and  
19 products and receives the right to use a legally protected logo  
20 under a paid license (Code sections 187.302 and 187.303). The  
21 Code chapter includes a choose Iowa food purchasing program that  
22 supports Iowa food banks and emergency feeding operations (Code  
23 section 187.311). A farm or business enrolled in the choose Iowa  
24 program is provided a preference to participate in the choose  
25 Iowa food purchasing program. Under Code chapter 190A, DALs  
26 also administers a farm-to-school program to support schools and  
27 school districts in purchasing food products derived from food  
28 commodities produced on Iowa farms (Code section 190A.6). A  
29 dairy innovation program authorizes DALs to provide financing to  
30 an eligible business in the form of a grant, low-interest loan,  
31 or forgivable loan in order to expand dairy processing capacity  
32 in Iowa (Code section 187.311).

33 PART A — GENERAL — BILL'S PROVISIONS. This part creates  
34 an exception to a provision that restricts state agencies from  
35 engaging in an activity that competes with a private enterprise

1 (Code section 23A.2). The part amends the choose Iowa program  
2 by providing for the enrollment of persons actively engaged in  
3 producing, processing, or marketing Iowa agricultural products.

4 PART B — CHOOSE IOWA PROMOTIONAL PROGRAMS — BILL'S  
5 PROVISIONS. Under this part, DALs may adopt administrative  
6 rules providing for criteria for enrollment in the choose  
7 Iowa promotion program. The part establishes a choose Iowa  
8 school purchasing program based on the current farm-to-school  
9 program, which is eliminated. Under the new program, an  
10 eligible participant is reimbursed on a matching basis with  
11 DALs contributing \$1 for every \$1 expended by the eligible  
12 participant. The division renames the choose Iowa food  
13 purchasing program to the choose Iowa food bank program. The  
14 part provides that to participate in the program, a farm or  
15 business must be enrolled as a member of the choose Iowa  
16 promotional program. The part eliminates a provision providing  
17 that not more than \$200,000 may be used by DALs to reimburse  
18 Iowa food banks and Iowa emergency feeding organizations. The  
19 part eliminates a provision that terminates the program on July  
20 1, 2030. Finally, the part transfers several Code sections  
21 including Code section 159.25, which establishes an Iowa seal for  
22 agricultural products.

23 PART C — INNOVATION AND REVITALIZATION PROGRAMS — BILL'S  
24 PROVISIONS. This part provides priority to a beginning  
25 farmer applying to participate in the dairy innovation and  
26 revitalization program. The part creates a butchery innovation  
27 revitalization program, modeled on the dairy innovation  
28 and revitalization program, that promotes the development,  
29 modernization, and expansion of this state's butchery industry.  
30 The part also eliminates a similar program administered by the  
31 economic development authority (Code section 15E.370).

32 DIVISION III — DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
33 REGULATION — ANIMAL HEALTH — BACKGROUND. Code chapter 163  
34 authorizes DALs to regulate animal health and specifically  
35 control infectious or contagious diseases (disease) afflicting

1 livestock populations (Code chapter 163). The term "control"  
2 refers to prevention, suppression, or eradication efforts (Code  
3 section 163.2).

4 DIVISION III — ANIMAL HEALTH — BILL'S PROVISIONS. This  
5 division authorizes DALs to lease facilities in order to control  
6 an infectious or contagious disease or provide for a foreign  
7 animal disease preparedness and response effort (Code section  
8 162.2A). The division also provides that notwithstanding Code  
9 chapter 22, information collected by DALs relating to such  
10 disease is confidential, if the information identifies the name,  
11 address, and contact information of a person owning or caring for  
12 an animal suspected of or being affected with a disease; or any  
13 location where an animal suspected of or being affected with the  
14 disease has been kept.

15 DIVISION IV — DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
16 REGULATION — WEIGHTS AND MEASURES — BACKGROUND. DALs is  
17 authorized to regulate standard weights and measures under a  
18 number of Code chapters, with many of its provisions first  
19 published in the 1851 Code (Code chapters 210, 213, 214, and  
20 215). Generally, standards must comply with or be supplied  
21 by the federal government or approved as being in compliance  
22 with those established by a United States agency, the national  
23 institute of standards and technology (NIST). Many of Iowa's  
24 Code provisions regulating standards provide for the inspection  
25 of commercial weighing and measuring devices that are used  
26 to establish size, quantity, area, or another quantitative  
27 measurement of a commodity when sold (Code section 215.1).

28 DIVISION IV — DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
29 — REGULATION — WEIGHTS AND MEASURES — BILL'S PROVISIONS. This  
30 division provides that the secretary of agriculture may designate  
31 the bureau chief of the department's weights and measures  
32 bureau to act as the state metrologist of weights and measures  
33 (Code section 213.1). The state metrologist is authorized to  
34 cooperate with NIST. A provision requiring all weights and  
35 measures sealed by the state metrologist to be impressed with

1 the word "Iowa" is eliminated. The division provides that DALSS  
2 is no longer required to inspect all commercial weighing and  
3 measuring devices unless it receives a complaint (Code section  
4 215.1A). In lieu of an inspection, DALSS may order the owner  
5 of the device or a service agency that installed, serviced,  
6 or repaired the device, to deliver to DALSS one or more of  
7 the service agency's most recent test reports documenting the  
8 device's accuracy. Several exceptions apply that require the  
9 inspection of a device including a motor fuel pump (Code section  
10 214.11), a moisture-measuring device (Code section 215A.2), and  
11 a charging station (Code section 452A.41). The division makes  
12 several changes to enhance the Code's readability including  
13 updating or correcting references to Code chapter 215. The  
14 division eliminates a provision that requires DALSS to conduct  
15 a test of a measuring device based on a request of any person  
16 (Code section 213.3) and a provision requiring a city to pay for  
17 expenses directly incurred in furnishing a city with standards  
18 (Code section 213.7).

19 DIVISION V — DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
20 REGULATION — GRAIN MARKETING — BACKGROUND. DALSS regulates grain  
21 marketing transactions under three interrelated Code chapters.  
22 The first two Code chapters regulate grain marketers, including  
23 Code chapter 203 providing for the regulation of a grain dealer  
24 purchasing grain from a seller and Code chapter 203C providing  
25 for the regulation of a warehouse operator storing grain for a  
26 depositor. Code chapter 203D establishes the grain depositors  
27 and sellers indemnity fund (indemnity fund) created to indemnify  
28 a seller or depositor against a financial loss due to the  
29 management of the grain by grain dealer or warehouse operator.

30 Under Code chapter 203, in a cash sale transaction, a grain  
31 dealer must pay the seller the purchase price for grain upon the  
32 grain's delivery or upon demand for payment by the seller (Code  
33 section 203.8). Delivery occurs when title to and possession of  
34 the grain is transferred to the grain dealer or another person in  
35 accordance with the terms of the contract (Code section 203.8).

1 One special type of sale is the use of a credit-sale contract in  
2 which a grain dealer enters a contract with a seller for the sale  
3 of grain and delivery of the grain has occurred but payment has  
4 not been made either because the price has not been agreed to (a  
5 deferred-pricing contract) or the price has been agreed to but  
6 payment is to be made more than 30 days later (a deferred-payment  
7 contract) (Code section 203.15). Under both Code chapters 203  
8 and 203C, DALS regulates a grain dealer and warehouse operator  
9 by issuing a license and conducting inspections of their business  
10 operations. A grain dealer or warehouse operator must be issued  
11 either a class 1 or class 2 license based on the size of the  
12 business operation with a class 1 license requiring higher net  
13 worth requirements (Code sections 203.3 and 203C.6). However, a  
14 class 1 license is required for a grain dealer who enters into a  
15 credit-sale contract regardless of the size of the grain dealer's  
16 operation. A class 1 or class 2 licensee must annually submit to  
17 DALS a financial statement accompanied by an unqualified opinion  
18 based upon an audit performed by a certified public accountant  
19 (CPA) licensed in this state. In 2025, the general assembly  
20 enacted 2025 Iowa Acts, chapter 105 (2025 Act), which eliminated  
21 provisions that allowed a licensed grain dealer or licensed grain  
22 warehouse operator to submit a financial statement accompanied  
23 by a report of a state-licensed CPA based upon a review in lieu  
24 of an unqualified opinion. The 2025 Act allowed the indemnity  
25 fund to cover a loss arising from a deferred-payment contract  
26 (Code sections 203D.6 and 203D.6A). The 2025 Act also provided  
27 a separate process for a seller to be indemnified for a loss  
28 resulting from the seller having received from the grain dealer  
29 an amount from the purchased grain that the seller was required  
30 to later pay back to the grain dealer's bankruptcy estate (Code  
31 section 203D.6A). A license of a grain dealer or warehouse  
32 operator may cease due to any one of three causes, including  
33 revocation by DALS, cancellation by the grain dealer, or the  
34 expiration of the license by operation of law. All of these  
35 causes are covered under Code sections 203.10 and 203C.10. Upon

1 any of these causes, a seller may claim the purchase price for  
2 the sold grain, which may trigger a claim for a loss under the  
3 indemnity fund.

4 DIVISION V — DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
5 — REGULATION — GRAIN MARKETING — BILL'S PROVISIONS. Parts A  
6 and B of this division amend Code sections 203.3 and 203C.6A by  
7 allowing a grain dealer (except a grain dealer entering into a  
8 credit-sale contract) or a warehouse operator to again submit a  
9 financial statement accompanied by a report of a state-licensed  
10 CPA based upon a review in lieu of an unqualified opinion.  
11 Parts A and B of the division amend Code section 203.8 by  
12 providing that unless title to grain was previously transferred  
13 pursuant to an ordinary cash sale contract, title to grain sold  
14 by credit-sale contract is deemed to have transferred to the  
15 grain dealer upon two conditions: (1) the credit-sale contract  
16 is signed by both the grain dealer and the seller and (2) the  
17 grain dealer or another person has possession of the grain in  
18 accordance with the terms of the credit-sale contract. The  
19 bill provides that a claim for a loss incurred by a seller or  
20 depositor may be triggered by the filing of a bankruptcy petition  
21 by a grain dealer or warehouse operator. The bill also amends a  
22 number of provisions that refer to the revocation, cancellation,  
23 or expiration of the license by instead referring to either Code  
24 section 203.10 or 203C.10, which describe those types of actions.  
25 Part C of the division amends Code section 203D.6 by providing  
26 for the indemnification of a seller for grain purchased by a  
27 grain dealer that the seller was required to pay back later in  
28 bankruptcy. The claim may proceed upon a determination that an  
29 eligible repayment claim was filed with DALs by the seller as  
30 required by statute. Finally, part C of the division amends Code  
31 section 203D.6A by providing for the timeliness of a repayment  
32 claim in the case of a bankruptcy court's default judgment. In  
33 that case, the seller must file a claim not later than 60 days  
34 after the court's judgment or a settlement agreement is approved,  
35 whichever is later.

1 DIVISION VI — DEPARTMENT OF TRANSPORTATION REGULATION —  
2 MOTOR VEHICLES. This division provides for the regulation of  
3 persons moving agricultural items on state highways and roads.

4 PART A — MILK HAULERS — BACKGROUND. Under Code chapter 321E,  
5 the department of transportation (DOT) and local authorities  
6 regulate the weight of motor vehicles traveling on a street,  
7 road, or highway, including by issuing permits (Code section  
8 321E.2). DOT is authorized to issue annual permits for the  
9 operation of vehicles or combinations of vehicles transporting  
10 fluid milk products to or from a milk plant, receiving station,  
11 or transfer station. The weight limitation is 96,000 pounds on  
12 primary roads and primary road extensions in cities. A person  
13 who violates the weight provisions is subject to a fine according  
14 to a schedule based on the number of pounds of overload beginning  
15 at \$12.

16 PART A — MILK HAULERS — BILL'S PROVISIONS. This part  
17 increases the weight limit to 136,000 pounds. DOT is required to  
18 adopt rules governing minimum distances for axle configurations.  
19 The part takes effect January 1, 2027.

20 PART B — IMPLEMENTS OF HUSBANDRY — BACKGROUND. Code section  
21 321.457 regulates the maximum length of a motor vehicle or  
22 combination of vehicles operated on the highways of this state.  
23 A trailer or semitrailer cannot have an overall length in  
24 excess of 53 feet when operating in a truck tractor-semitrailer  
25 combination. However, a lowboy semitrailer that is designed and  
26 exclusively used for the transportation of construction equipment  
27 may have an overall length not in excess of 57 feet. A person  
28 who violates the length requirement is subject to a scheduled  
29 fine of \$260 (Code section 805.8A).

30 PART B — IMPLEMENTS OF HUSBANDRY — BILL'S PROVISIONS. This  
31 part provides that an implement of husbandry (a vehicle or  
32 equipment used in agricultural production) has the same feet  
33 requirement as construction equipment.

34 DIVISION VII — AGRICULTURAL TOURISM — BACKGROUND. Code  
35 chapter 673A, referred to as the "Iowa Agricultural Tourism

1 Promotion Act" (Code section 673A.1), limits the liability of  
2 certain persons involved in agricultural tourism on a farm  
3 (agricultural tourism farm) when a cause of action by a visitor  
4 to the farm (agricultural tourist) alleges an injury, loss, or  
5 death due to any of the following: (1) an inherent risk of  
6 farming associated with a farming activity, (2) the failure of  
7 the agricultural tourist to comply with an instruction while  
8 visiting the agricultural tourism farm, or (3) the injury, loss,  
9 or death occurred at a place a reasonable person would not enter,  
10 which may be based on a posted notice (Code section 673A.4).

11 DIVISION VII — AGRICULTURAL TOURISM — BILL'S  
12 PROVISIONS. This division expands the scope of the liability  
13 protection provided to persons engaged in agricultural tourism  
14 by amending definitions in Code section 673A.3. The division  
15 provides that a farm includes a tree farm, and that a farm crop  
16 includes a plant used for energy or decoration. The division  
17 also provides that a farm crop described as edible or ornamental  
18 produce includes nuts, maple syrup, mushrooms, and Christmas  
19 trees. Finally, a farm crop includes honey.

20 DIVISION VIII — LAND USE — BACKGROUND. Code chapter 335  
21 provides for county zoning. Code section 335.27 provides that  
22 a county zoning ordinance does not apply to land, a farm house,  
23 farm barn, farm outbuilding, or other building or structure that  
24 is primarily adapted for an agricultural purpose. Code chapter  
25 335.28 provides that a county cannot require a conditional  
26 use permit, special use permit, special exception, or variance  
27 for agricultural experiences on property primarily used for  
28 agricultural production. An agricultural experience is defined  
29 to include an agriculture-related activity, as a secondary use  
30 in conjunction with agricultural production, on a farm, which  
31 activity is open to the public.

32 DIVISION VIII — LAND USE — BILL'S PROVISIONS. This  
33 division amends Code section 335.2 by providing that an  
34 agricultural purpose includes an agricultural tourism activity  
35 or event, value-added agricultural processing, direct-to-consumer

1 marketing, or other farm-based enterprise that supports the  
2 economic viability of a farm. The division amends Code  
3 section 335.28 by providing that an agricultural experience also  
4 includes any of the tourism activities, such as recreational,  
5 entertainment, dining, or celebratory events, or short-term  
6 rental opportunities offered on a working farm, so long as the  
7 farm's primary use remains agricultural production. Finally,  
8 an agricultural experience includes a fair event conducted on  
9 a fairgrounds under the management or control of a county or  
10 district fair or agricultural society. The division takes effect  
11 upon enactment.

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