

Senate File 419 - Introduced

SENATE FILE 419
BY STAED, CELSI, PETERSEN, and
BISIGNANO

A BILL FOR

1 An Act relating to the regulation of confinement feeding
2 operations, including by providing for partially roofed
3 structures and prohibiting the construction, including
4 expansion, of structures, making penalties applicable, and
5 including effective date provisions.

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

unofficial

1 Section 1. Section 459.102, subsection 15, Code 2025, is
2 amended to read as follows:

3 15. "*Confinement feeding operation*" means an animal feeding
4 operation in which animals are confined to areas which are
5 totally or partially roofed.

6 Sec. 2. NEW SECTION. **459.104 Moratorium — confinement**
7 **feeding operation structures.**

8 1. Notwithstanding any provision of this chapter or any other
9 provision of law to the contrary, a person shall not construct,
10 including expand, a confinement feeding operation structure.

11 2. Subsection 1 does not apply to a confinement feeding
12 operation structure that is part of a small animal feeding
13 operation.

14 3. This section does not prohibit a person from completing
15 construction, including expansion, of a confinement feeding
16 operation structure if, prior to the effective date of this
17 Act, the person has begun construction, including expansion, of
18 the confinement feeding operation structure as otherwise allowed
19 under this chapter.

20 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate
21 importance, takes effect upon enactment.

22 EXPLANATION

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

25 GENERAL. This bill amends Code chapter 459 (the "Animal
26 Agriculture Compliance Act") (Code section 459.101) which
27 regulates confinement feeding operations. The bill revises
28 the definition of a confinement feeding operation to include
29 an operation that is partially roofed (amended Code section
30 459.102(15)). The bill also prohibits the construction,
31 including expansion, of a confinement feeding operation
32 structure. Such a structure includes a confinement building, a
33 manure storage structure, or an egg washwater structure. The
34 bill provides an exception that allows construction if the new
35 structure is part of a small animal feeding operation. The bill

1 does not prohibit a person from completing construction if the
2 person had begun construction prior to the effective date of the
3 bill.

4 BACKGROUND — ENFORCEMENT AND APPLICABLE CIVIL
5 PENALTIES. Compliance with a statutory regulation under Code
6 chapter 459 includes compliance with a rule adopted by the
7 department of natural resources (Code section 459.103). A
8 person violating air quality regulations under Code chapter
9 459, subchapter II, is subject to an administrative assessment
10 of a civil penalty of up to \$10,000 (Code sections 459.602
11 and 455B.109). A person violating a water quality regulation
12 under Code chapter 459, subchapter III, is subject to the
13 administrative assessment of a civil penalty of up to \$10,000
14 (Code sections 459.603 and 455B.109) or a judicially assessed
15 civil penalty of up to \$5,000 (Code sections 459.603 and
16 455B.191).

17 EFFECTIVE DATE. The bill takes effect upon enactment.