

House File 2674 - Reprinted

HOUSE FILE 2674
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO HF 2298)

(As Amended and Passed by the House March 12, 2026)

A BILL FOR

- 1 An Act providing for the regulation of commercial establishments
- 2 possessing or controlling nonagricultural animals, providing
- 3 penalties, and making penalties applicable.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 162.2, subsection 7, Code 2026, is amended
2 by striking the subsection.

3 Sec. 2. Section 162.2, subsections 8 and 9, Code 2026, are
4 amended to read as follows:

5 8. a. "Commercial breeder" means a person, engaged in the
6 business of breeding dogs or cats, who sells, exchanges, or
7 leases dogs or cats in return for consideration, or who offers to
8 do so, whether or not the animals are raised, trained, groomed,
9 or boarded by the person. A

10 b. Notwithstanding paragraph "a", "commercial breeder" does
11 not mean a person who owns or harbors three six or fewer breeding
12 males or females is not a commercial breeder females, age twelve
13 months or older.

14 9. "Commercial establishment" or "establishment" means an
15 animal shelter, ~~boarding kennel,~~ commercial breeder, commercial
16 kennel, dealer, pet shop, pound, public auction, or research
17 facility.

18 Sec. 3. Section 162.2, subsection 26, paragraph a, Code 2026,
19 is amended to read as follows:

20 a. A ~~boarding kennel,~~ commercial kennel, or pet shop to whom
21 a state license is issued by the department pursuant to section
22 162.2A.

23 Sec. 4. Section 162.2A, subsection 1, paragraph b, Code 2026,
24 is amended to read as follows:

25 b. A state license for a ~~boarding kennel,~~ commercial kennel,
26 or pet shop.

27 Sec. 5. Section 162.4A, Code 2026, is amended to read as
28 follows:

29 **162.4A Operation of a research facility — certificate of**
30 **registration.**

31 A research facility shall only operate pursuant to a
32 certificate of registration issued by the department as provided
33 in section 162.2A. The research facility shall maintain records
34 as required by the department in order for the department to
35 ensure the research facility's compliance with the provisions of

1 this chapter. A research facility shall not purchase a dog or
2 cat from a commercial establishment that does not have a valid
3 authorization issued or renewed under this chapter ~~or a similar~~
4 ~~authorization issued or renewed by another state.~~

5 Sec. 6. Section 162.5, Code 2026, is amended to read as
6 follows:

7 **162.5 Operation of a pet shop — state license.**

8 A pet shop shall only operate pursuant to a state license
9 issued or renewed by the department pursuant to section 162.2A.
10 The pet shop shall maintain records as required by the
11 department in order for the department to ensure the pet shop's
12 compliance with the provisions of this chapter. A pet shop shall
13 not purchase a dog or cat from a commercial establishment that
14 does not have a valid authorization issued or renewed under this
15 chapter ~~or a similar authorization issued or renewed by another~~
16 ~~state.~~

17 Sec. 7. Section 162.6, Code 2026, is amended to read as
18 follows:

19 **162.6 Operation of a commercial kennel — state license.**

20 A commercial kennel shall only operate pursuant to a state
21 license issued or renewed by the department as provided in
22 section 162.2A. A commercial kennel shall maintain records
23 as required by the department in order for the department to
24 ensure the commercial kennel's compliance with the provisions of
25 this chapter. A commercial kennel shall not purchase a dog or
26 cat from a commercial establishment that does not have a valid
27 authorization issued or renewed under this chapter ~~or a similar~~
28 ~~authorization issued or renewed by another state.~~

29 Sec. 8. Section 162.7, Code 2026, is amended to read as
30 follows:

31 **162.7 Operation of a dealer — state license or permit.**

32 A dealer shall only operate pursuant to a state license, or
33 a permit, issued or renewed by the department as provided in
34 section 162.2A. A dealer who is a state licensee shall maintain
35 records as required by the department in order for the department

1 to ensure compliance with the provisions of this chapter. A
2 dealer who is a permittee may but is not required to maintain
3 records. A dealer shall not purchase a dog or cat from a
4 commercial establishment that does not have a valid authorization
5 issued or renewed under this chapter ~~or a similar authorization~~
6 ~~issued or renewed by another state.~~

7 Sec. 9. Section 162.8, Code 2026, is amended to read as
8 follows:

9 **162.8 Operation of a commercial breeder — state license or**
10 **permit.**

11 A commercial breeder shall only operate pursuant to a state
12 license, or a permit, issued or renewed by the department as
13 provided in section 162.2A. A commercial breeder who is a state
14 licensee shall maintain records as required by the department
15 in order for the department to ensure the commercial breeder's
16 compliance with the provisions of this chapter. A commercial
17 breeder who is a permittee may but is not required to maintain
18 records. A commercial breeder shall not purchase a dog or
19 cat from a commercial establishment that does not have a valid
20 authorization issued or renewed under this chapter ~~or a similar~~
21 ~~authorization issued or renewed by another state.~~

22 Sec. 10. Section 162.9A, Code 2026, is amended to read as
23 follows:

24 **162.9A Operation of a public auction — state license or**
25 **permit.**

26 A public auction shall only operate pursuant to a state
27 license, or a permit, issued or renewed by the department as
28 provided in section 162.2A. A public auction ~~which~~ that is
29 a state licensee shall maintain records as required by the
30 department in order for the department to ensure the public
31 auction's compliance with the provisions of this chapter. A
32 public auction ~~which~~ that is a permittee may but is not required
33 to maintain records. A public auction shall not purchase a dog
34 or cat from a commercial establishment that does not have a valid
35 authorization issued or renewed under this chapter ~~or a similar~~

1 ~~authorization issued or renewed by another state.~~

2 Sec. 11. Section 162.10B, Code 2026, is amended to read as
3 follows:

4 **162.10B Commercial establishments — inspecting state**
5 **licensees and registrants.**

6 1. The department may inspect the commercial establishment
7 of a registrant or state licensee by entering onto its business
8 premises at any time during normal working hours. The department
9 may inspect records required to be maintained by the state
10 licensee or registrant as provided in this chapter. If the
11 owner or person in charge of the commercial establishment refuses
12 admittance, the department may obtain an administrative search
13 warrant issued under section 808.14.

14 2. a. The department shall determine the frequency of
15 inspections of a commercial establishment conducted pursuant to
16 subsection 1 based upon a risk assessment of the establishment's
17 compliance with the standard of care requirement in section
18 162.10A, subsection 1.

19 b. Paragraph "a" does not limit the department from
20 conducting an inspection as necessary to ensure a commercial
21 establishment is complying with the requirements of this chapter.

22 c. Upon receipt of credible evidence that a commercial
23 establishment may be in violation of the standard of care
24 requirement provided in section 162.10A, subsection 1, the
25 department shall inspect the establishment or initiate an
26 investigation of the establishment.

27 Sec. 12. Section 162.10C, subsection 2, Code 2026, is amended
28 by adding the following new paragraph:

29 NEW PARAGRAPH. c. A United States department of agriculture
30 inspection report indicating that the permittee is breaching a
31 standard of care required of permittees by section 162.10A. The
32 department of agriculture and land stewardship shall not enter
33 onto the permittee's premises based on that report two years
34 after the date that the report was published.

35 Sec. 13. Section 162.10D, Code 2026, is amended by adding the

1 following new subsection:

2 NEW SUBSECTION. 01. a. The department may suspend or revoke
3 an authorization issued or renewed to a commercial establishment
4 under this chapter for a violation of a provision of this
5 chapter.

6 b. A violation of this chapter includes any of the following:

7 (1) The refusal of a commercial establishment to allow the
8 department to conduct an inspection pursuant to a search warrant.

9 (2) The effort of a person associated with the commercial
10 establishment to interfere with an inspection.

11 Sec. 14. Section 162.11, subsection 2, Code 2026, is amended
12 to read as follows:

13 2. This chapter does not apply to a place or establishment
14 ~~which~~ that operates under the immediate supervision of a duly
15 licensed veterinarian as a hospital where animals are harbored,
16 hospitalized, and cared for incidental to the treatment,
17 prevention, or alleviation of disease processes during the
18 routine practice of the profession of veterinary medicine.
19 However, if animals are accepted by such a place, establishment,
20 or hospital for boarding or grooming for a consideration, the
21 place, establishment, or hospital is subject to the licensing
22 or registration requirements applicable to a ~~boarding kennel or~~
23 commercial kennel under this chapter and the rules adopted by the
24 secretary.

25 Sec. 15. Section 162.12, Code 2026, is amended to read as
26 follows:

27 **162.12 Denial or revocation of license or registration.**

28 A certificate of registration may be denied to any animal
29 shelter, pound, or research facility and a state license may
30 be denied to any public auction, ~~boarding kennel,~~ commercial
31 kennel, pet shop, commercial breeder, or dealer, or an existing
32 certificate of registration or state license may be revoked by
33 the secretary if, after public hearing, it is determined that
34 the housing facilities or primary enclosures are inadequate under
35 this chapter or if the feeding, watering, cleaning, and housing

1 practices at the pound, animal shelter, public auction, pet shop,
2 ~~boarding kennel~~, commercial kennel, or research facility, or
3 those practices by the commercial breeder or dealer, are not in
4 compliance with this chapter or with the rules adopted pursuant
5 to this chapter. The premises of each registrant or state
6 licensee shall be open for inspection during normal business
7 hours.

8 Sec. 16. Section 162.12A, Code 2026, is amended to read as
9 follows:

10 **162.12A Civil penalties.**

11 1. a. The department shall establish, impose, and assess
12 civil penalties for violations of this chapter.

13 b. A violation of this chapter includes any of the following:

14 (1) The refusal by a commercial establishment to allow the
15 department to inspect the commercial establishment as provided in
16 section 162.10D.

17 (2) The effort of a person associated with the commercial
18 establishment to interfere with a department's inspection as
19 provided in section 162.10D.

20 c. The department may by rule establish a schedule of civil
21 penalties for violations of this chapter.

22 d. All civil penalties collected under this section shall be
23 deposited into the general fund of the state.

24 ~~1.~~ 2. a. A commercial establishment that operates pursuant
25 to an authorization issued or renewed under this chapter is
26 subject to a civil penalty of not more than five hundred dollars,
27 regardless of the number of animals possessed or controlled by
28 the commercial establishment, for violating this chapter. Except
29 as provided in paragraph "b", each day that a violation continues
30 shall be deemed a separate offense.

31 b. This paragraph applies to a commercial establishment
32 that violates a standard of care involving housing as provided
33 in section 162.10A. The departmental official who makes a
34 determination that a violation exists shall provide a corrective
35 plan to the commercial establishment describing how the violation

1 will be corrected within a compliance period of not more than
2 fifteen days from the date of approval by the official of the
3 corrective plan. The civil penalty shall not exceed five hundred
4 dollars for the first day of the violation. After that day, the
5 department shall not impose a civil penalty for the violation
6 during the compliance period. The department shall not impose
7 an additional civil penalty, unless the commercial establishment
8 fails to correct the violation by the end of the compliance
9 period. If the commercial establishment fails to correct the
10 violation by the end of the compliance period, each day that the
11 violation continues shall be deemed a separate offense.

12 ~~2.~~ 3. A commercial establishment that does not operate
13 pursuant to an authorization issued or renewed under this chapter
14 is subject to a civil penalty of not more than one thousand
15 dollars, regardless of the number of animals possessed or
16 controlled by the commercial establishment, for violating this
17 chapter. Each day that a violation continues shall be deemed a
18 separate offense.

19 Sec. 17. Section 162.19, Code 2026, is amended to read as
20 follows:

21 **162.19 Abandoned animals destroyed.**

22 1. Whenever any animal is left with a veterinarian, ~~boarding~~
23 ~~kennel~~ or commercial kennel pursuant to a written agreement and
24 the owner does not claim the animal by the agreed date, the
25 animal shall be deemed abandoned, and a notice of abandonment
26 and its consequences shall be sent within seven days by certified
27 mail to the last known address of the owner. For fourteen days
28 after mailing of the notice the owner shall have the right to
29 reclaim the animal upon payment of all reasonable charges, and
30 after the fourteen days the owner shall be deemed to have waived
31 all rights to the abandoned animal. If despite diligent effort
32 an owner cannot be found for the abandoned animal within another
33 seven days, the veterinarian, ~~boarding kennel~~, or commercial
34 kennel may humanely destroy the abandoned animal.

35 2. Each veterinarian, ~~boarding kennel~~ or commercial kennel

1 shall warn its patrons of the provisions of this section by a
2 conspicuously posted notice or by conspicuous type in a written
3 receipt.

4 Sec. 18. Section 717A.1, subsection 5, paragraph g, Code
5 2026, is amended by striking the paragraph.

6 Sec. 19. REPEAL. Section 162.5A, Code 2026, is repealed.

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