

Sec. 2. Section 453C.1, subsection 9, paragraph a, Code 2001, is amended to read as follows:

a. Manufactures cigarettes anywhere that such manufacturer intends to be sold in the United States, including cigarettes intended to be sold in the United States through an importer; (except where such importer is an original participating manufacturer, as that term is defined in the master settlement agreement, that will be responsible for the payments under the master settlement agreement with respect to such cigarettes as a result of the provisions of subsection II(mm) of the master settlement agreement and that pays the taxes specified in subsection II(z) of the master settlement agreement and provided that the manufacturer of such cigarettes does not market or advertise such cigarettes in the United States).

Sec. 3. Section 453C.2, subsection 2, paragraph b, subparagraph (1), Code 2001, is amended to read as follows:

(1) To pay a judgment or settlement on any released claim brought against such tobacco product manufacturer by the state or any releasing party located or residing in the state. Funds shall be released from escrow, under this subparagraph (1), (a) in the order in which they were placed into escrow and (b) only to the extent and at the time necessary to make payments required under such judgment or settlement.

Sec. 4. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved March 30, 2001

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## CHAPTER 19

### ANIMAL BITES AND RABIES — LAW ENFORCEMENT AGENCY DOGS AND HORSES

H.F. 179

**AN ACT** relating to excluding from confinement dogs used by police or correctional officers.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 351.39, Code 2001, is amended to read as follows:  
351.39 CONFINEMENT.

~~When~~ If a local board of health receives information that ~~any person has been bitten by an animal~~ has bitten a person or that a dog or animal is suspected of having rabies, ~~if the board~~ shall order the owner to confine such animal in the manner it directs. If the owner fails to confine such animal in the manner directed, the animal shall be apprehended and impounded by such board, and after ~~two weeks~~ ten days the board may humanely destroy the animal. If such animal is returned to its owner, the owner shall pay the cost of impoundment. This section shall not apply to a police service dog or a horse used by a law enforcement agency, that is acting in the performance of its duties which has bitten a person.<sup>1</sup>

Approved March 30, 2001

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<sup>1</sup> See chapter 176, §68 herein