

CHAPTER 1142

CRIMES AGAINST AGRICULTURAL PRODUCTION

H.F. 2486

AN ACT providing for animal agriculture, including by providing for offenses involving animals and crops and related property, and providing penalties.

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

Section 1. Section 717A.2, subsection 3, paragraph a, Code Supplement 2003, is amended to read as follows:

a. A person who violates subsection 1, paragraph “a”, is guilty of a class “C” felony if the injury to or death of an animal or damage to property exceeds ~~fifty ten~~ thousand dollars, a class “D” felony if the injury to or death of an animal or damage to property exceeds ~~five hundred one thousand~~ dollars but does not exceed ~~fifty ten~~ thousand dollars, an aggravated misdemeanor if the injury to or death of an animal or damage to property exceeds one hundred dollars but does not exceed ~~five hundred one thousand~~ dollars, a serious misdemeanor if the injury to or death of an animal or damage to property exceeds fifty dollars but does not exceed one hundred dollars, or a simple misdemeanor if the injury to or death of an animal or damage to property does not exceed fifty dollars.

Sec. 2. NEW SECTION. 717A.4 PATHOGENS THREATENING ANIMALS AND CROPS — PENALTY.

1. Except as provided in subsection 2, a person shall not willfully possess, transport, or transfer a pathogen with an intent to threaten the health of an animal or crop.

a. For animals, a pathogen restricted under this section shall be limited to a biological agent or toxin listed in 9 C.F.R. § 121.2(b), as that list exists on January 1, 2004.

b. For crops, a pathogen restricted under this section shall be limited to a biological agent or toxin listed in 7 C.F.R. § 331.3, as that list exists on January 1, 2004.

2. This section does not apply to a person who possesses, transports, or distributes a pathogen in compliance with federal law, including but not limited to as provided in 9 C.F.R. pt. 121 or 7 C.F.R. pt. 331.

3. A person who violates this section is guilty of a class “B” felony.

Approved May 6, 2004

CHAPTER 1143

SOIL AND WATER CONSERVATION DISTRICTS — SURVEY OF PRIVATE CONTRACTORS

H.F. 2518

AN ACT relating to the duties of the soil and water conservation division of the department of agriculture and land stewardship.

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

Section 1. Section 161A.4, Code 2003, is amended by adding the following new subsection: NEW SUBSECTION. 5. The division, in consultation with the commissioners of the soil and