

FEB 28 2006
PUBLIC SAFETY

HOUSE FILE 2555
BY BUKTA

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for intact dogs running at large, and providing
2 a penalty.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

HF 2555

1 Section 1. NEW SECTION. 351.45 INTACT DOGS RUNNING AT
2 LARGE AND INFLICTING SERIOUS PHYSICAL INJURY -- PENALTY.

3 1. As used in this section, unless the context otherwise
4 requires:

5 a. "Intact dog" means a dog which has not been sterilized
6 by a procedure which permanently destroys the capacity of a
7 dog to reproduce, either by the surgical removal or alteration
8 of its reproductive organs, or by the injection or ingestion
9 of a serum.

10 b. "Police service dog" means the same as defined in
11 section 717B.9.

12 c. "Serious physical injury" means a physical injury that
13 creates a substantial risk of death or that causes death,
14 serious disfigurement, protracted impairment of health, or
15 impairment of the function of any bodily organ, or that
16 requires plastic surgery.

17 2. If a person who owns an intact dog knowingly allows the
18 intact dog to run at large and the intact dog inflicts serious
19 physical injury on a person, the person who owns the intact
20 dog is guilty of an aggravated misdemeanor.

21 3. This section does not apply to any of the following:

22 a. A police service dog.

23 b. A dog that is engaged in taking, hunting, or trapping a
24 wild animal as provided in chapter 481A, if all of the
25 following apply:

26 (1) The intact dog is monitored or supervised by a person.

27 (2) The person who monitors or supervises the intact dog
28 is lawfully permitted to be on the land for the purpose of
29 taking, hunting, or trapping a wild animal.

30 (3) The person who monitors or supervises the intact dog
31 obtains a written statement by the titleholder or leaseholder
32 of the land consenting to the intact dog's presence on the
33 land.

34 c. An intact dog that is participating in a legitimate
35 exercise which is limited to training or participating in a

1 field meet or trial, and all of the following apply:

2 (1) The legitimate exercise involves a skill associated
3 with herding a domestic animal or hunting, including but not
4 limited to pointing, retrieving, trailing, or chasing any wild
5 animal.

6 (2) The intact dog is monitored or supervised by a person.

7 (3) The person who monitors or supervises the dog is
8 lawfully permitted to be on the land for the purpose of
9 conducting the legitimate exercise.

10 (4) The person who monitors or supervises the intact dog
11 obtains a written statement by the titleholder or leaseholder
12 of the land consenting to the intact dog's presence on the
13 land.

14 d. The intact dog is confined to an area which is
15 designated by the state or a political subdivision as reserved
16 for dogs to play, if the intact dog is monitored or supervised
17 by a person.

18 EXPLANATION

19 This bill applies to an intact dog that runs at large. An
20 intact dog is a dog that has not been sterilized (i.e., spayed
21 or neutered). If a person who owns an intact dog knowingly
22 allows the intact dog to run at large and the intact dog
23 causes serious physical injury to another person, the owner is
24 guilty of an aggravated misdemeanor. An aggravated
25 misdemeanor is punishable by confinement for no more than two
26 years and a fine of at least \$500 but not more than \$5,000.
27 The bill provides a number of exceptions for a police service
28 dog; an intact dog that is engaged in taking, hunting, or
29 trapping a wild animal; an intact dog that is participating in
30 a legitimate exercise which is limited to training or
31 participating in a field meet or trial; or an intact dog that
32 is confined to an area reserved for dogs to play. In all
33 cases, the intact dog must be monitored or supervised by a
34 person. In the case of a dog that is hunting or participating
35 in a legitimate exercise, the person who is monitoring or

1 supervising the intact dog must obtain written permission from
2 the person who owns or leases the land.

- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35