

### 717B.3 Animal neglect — penalties.

1. A person commits animal neglect when the person owns or has custody of an animal, confines that animal, and fails to provide the animal with any of the following conditions for the animal's welfare:

a. Access to food in an amount and quality reasonably sufficient to satisfy the animal's basic nutrition level to the extent that the animal's health or life is endangered.

b. Access to a supply of potable water in an amount reasonably sufficient to satisfy the animal's basic hydration level to the extent that the animal's health or life is endangered. Access to snow or ice does not satisfy this requirement.

c. Sanitary conditions free from excessive animal waste or the overcrowding of animals to the extent that the animal's health or life is endangered.

d. Ventilated shelter reasonably sufficient to provide adequate protection from the elements and weather conditions suitable for the age, species, and physical condition of the animal so as to maintain the animal in a state of good health to the extent that the animal's health or life is endangered. The shelter must protect the animal from wind, rain, snow, or sun and have adequate bedding to provide reasonable protection against cold and dampness. A shelter may include a residence, garage, barn, shed, or doghouse.

e. Grooming, to the extent it is reasonably necessary to prevent adverse health effects or suffering.

f. Veterinary care deemed necessary by a reasonably prudent person to relieve an animal's distress from any of the following:

(1) A condition caused by failing to provide for the animal's welfare as described in [this subsection](#).

(2) An injury or illness suffered by the animal causing the animal to suffer prolonged pain and suffering.

2. [This section](#) does not apply to any of the following:

a. A person issued or renewed an authorization to operate a commercial establishment, or a person acting under the direction or supervision of that person, if all of the following apply:

(1) The animal, as described in [subsection 1](#), was maintained as part of the commercial establishment's operation.

(2) In providing conditions for the welfare of the animal, as described in [subsection 1](#), the person complied with the standard of care requirements provided in [section 162.10A, subsection 1](#), including any applicable rules adopted by the department applying to any of the following:

(a) A state licensee or registrant operating pursuant to [section 162.10A, subsection 2](#), paragraph "a" or "b".

(b) A permittee operating pursuant to [section 162.10A, subsection 2](#), paragraph "c".

b. A research facility, as defined in [section 162.2](#), if the research facility has been issued or renewed a valid authorization by the department pursuant to [chapter 162](#), and performs functions within the scope of accepted practices and disciplines associated with the research facility.

3. A person who commits animal neglect that does not cause injury, serious injury, or death to an animal is guilty of a simple misdemeanor.

4. A person who commits animal neglect that causes injury, other than serious injury or death, to an animal is guilty of a serious misdemeanor.

5. A person who commits animal neglect that causes serious injury or death to an animal is guilty of an aggravated misdemeanor.

6. Notwithstanding [subsection 5](#), a person who commits animal neglect that causes serious injury or death to an animal is guilty of a class "D" felony if the person has been previously convicted of animal abuse pursuant to [section 717B.2](#), animal neglect punishable as a serious misdemeanor or aggravated misdemeanor pursuant to [this section](#), animal torture pursuant to [section 717B.3A](#), injury to or interference with a police service dog

pursuant to [section 717B.9](#), bestiality pursuant to [section 717C.1](#), or an act involving a contest event prohibited in [section 717D.2](#).

[94 Acts, ch 1103, §14](#); [95 Acts, ch 49, §25](#); [2008 Acts, ch 1058, §21](#); [2014 Acts, ch 1092, §147](#); [2020 Acts, ch 1111, §6](#)

Referred to in [§162.10A](#), [717B.1](#), [717B.2](#), [717B.3A](#), [717B.3B](#)