

S-5030

1 Amend the amendment, S-5004, to House File 589,
2 as amended, passed, and reprinted by the House, as
3 follows:

4 1. By striking page 1, line 5, through page 2, line
5 14, and inserting:

6 <<Section 1. Section 717A.1, Code 2011, is amended
7 by adding the following new subsection:

8 NEW SUBSECTION. 2A. "Agricultural production
9 facility" means an animal facility as defined in
10 subsection 4, paragraph "a", or a crop operation
11 property.

12 Sec. 2. NEW SECTION. 717A.2A Agricultural
13 production facility fraud.

14 1. A person is guilty of agricultural production
15 facility fraud if the person willfully does any of the
16 following:

17 a. Obtains access to an agricultural production
18 facility by false pretenses for the purpose of
19 committing an illegal act.

20 b. Makes a false statement or representation as
21 part of an application or agreement to be employed
22 at an agricultural production facility, if the
23 person knows the statement to be false, and makes
24 the statement with an intent to commit an act not
25 authorized by the owner of the agricultural production
26 facility.

27 2. A person is guilty of agricultural production
28 facility criminal mischief if the person is an employee
29 of the agricultural production facility and becomes
30 aware of livestock abuse as provided in section 717.1A,
31 livestock neglect as provided in section 717.2, or
32 crop operation property damage as provided in section
33 717A.3, and willfully fails to notify a local law
34 enforcement agency.

35 3. A person who commits an offense described in
36 subsection 1 or 2 commits the following:

37 a. For a first conviction, a serious misdemeanor.

38 b. For a second or subsequent conviction, an
39 aggravated misdemeanor.

40 Sec. 3. NEW SECTION. 717A.2B Agricultural
41 production facility recording requirements.

42 1. An owner of an agricultural production facility
43 shall, at the owner's expense, install video monitoring
44 equipment to record activities twenty-four hours per
45 day throughout all interior and exterior areas of the
46 facility. On the first day of each month, the owner
47 shall release all recordings to the department of
48 agriculture and land stewardship, which shall make the
49 recordings available to the public via an internet site
50 or other similarly accessible format.

1 2. An owner of an agricultural production facility
2 who fails to comply with the recording requirements set
3 forth in subsection 1 commits the following:
4 a. For a first conviction, a serious misdemeanor.
5 b. For a second or subsequent conviction, an
6 aggravated misdemeanor.
7 Sec. 4. EFFECTIVE DATE. The following provision or
8 provisions of this Act take effect on January 1, 2013:
9 1. The section of this Act enacting section
10 717A.2B.>
11 _____. Title page, line 2, by striking <and providing
12 penalties and remedies> and inserting <providing
13 penalties, and including effective date provisions>>

MATT McCOY