

HOUSE REPUBLICAN STAFF ANALYSIS

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| Bill: | HF 472 (HSB 181) | House Committee: | PASSED February 23 (22-1) |
| Committee: | State Government | House Floor: | |
| Floor Manager: | Rep. Bergan | Senate Floor: | |
| Date: | March 7, 2023 | Governor: | |
| Staff: | Jason Covey (1-3626) | | |

Immunity for Veterinarians to Report Animal Abuse

- This bill protects veterinarians who in good faith report abuse of a companion animal by granting them immunity from administrative, civil, or criminal liability.
- Veterinarians who assist law enforcement in the rescue of an abused animal is granted immunity from administrative, civil, or criminal liability.
- Making a false report or providing false information is a misdemeanor and the veterinarian is liable for damages resulting from the false report.
- **FISCAL NOTE:** The fiscal impact related to the creation of a new criminal offense cannot be estimated due to a lack of existing data.

Section by Section Analysis

Section 1 - Definitions (Iowa Code 169.3(8A))

Adds the definition of peace officer to the section of code on Veterinary Practice.

Section 2 – Veterinarian Immunity (169.13(1A))

New subsection - A licensed veterinarian that is immune from administrative, civil, or criminal liability under 169.18A (Section 3 of this bill) is not subject to disciplinary action. Information that is disclosed under is not subject to the confidentiality requirements that are associated with veterinarian practice.

Section 3 – Veterinarian Immunity (Iowa Code 169.18A)

New section - states that a licensed veterinarian when acting in good faith and in conformance within the minimal standard of acceptable and prevailing practice of veterinarian medicine is immune from administrative, civil, or criminal liability which could be imposed on a licensed veterinarian for doing any of the following:

- Cooperating with a peace officer, in a matter relating to another person's conduct that would be a misdemeanor or felony injury to animals, bestiality, animal contest events.
- Cooperating with local law authority or law enforcement to rescue a threatened animal
- Participating in a dispositional proceeding or complying with a court order arising from a dispositional proceeding
- Providing evidence in an administrative, civil, or criminal case relating to another person's conduct that would constitute an offense punishable as a misdemeanor. A veterinarian may provide answers in a deposition or interrogatory, testimony, records.

A veterinarian who knowingly makes false reports or information is subject to disciplinary action by the board and is civilly liable for damages that are a result of the false information. Providing false testimony is a simple misdemeanor.

Section 4 – Tort Liability (Iowa Code 670.4(1)(On))

A licensed veterinarian is immune from administrative, criminal or civil liability in a claim (under the tort liability of governmental subdivisions) if they were assisting a municipality in rescuing a threatened animal.