A BILL FOR

1 An Act relating to an offense involving trespass to
2 agricultural production facilities, providing penalties, and
3 including effective date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
Section 1. NEW SECTION. 717A.3B Agricultural production facility trespass.

1. A person commits agricultural production facility trespass if the person does any of the following:
   a. Uses deception as described in section 702.9, subsection 1 or 2, on a matter that would reasonably result in a denial of access to an agricultural production facility that is not open to the public, and, through such deception, gains access to the agricultural production facility, with the intent to cause physical or economic harm or other injury to the agricultural production facility's operations, agricultural animals, crop, owner, personnel, equipment, building, premises, business interest, or customer.
   b. Uses deception as described in section 702.9, subsection 1 or 2, on a matter that would reasonably result in a denial of an opportunity to be employed at an agricultural production facility that is not open to the public, and, through such deception, is so employed, with the intent to cause physical or economic harm or other injury to the agricultural production facility's operations, agricultural animals, crop, owner, personnel, equipment, building, premises, business interest, or customer.

2. A person who commits agricultural production facility trespass is guilty of a serious misdemeanor for a first offense and an aggravated misdemeanor for a second or subsequent offense.

3. A person who conspires with another, as described in section 706.1, to commit agricultural production facility trespass is guilty of a serious misdemeanor for a first offense and an aggravated misdemeanor for a second or subsequent offense. For purposes of this subsection, a person commits conspiracy to commit agricultural production facility trespass, without regard to the limitation of criminal liability for conspiracy otherwise applicable under section 706.1, subsection 1.
Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
importance, takes effect upon enactment.

EXPLANATION
The inclusion of this explanation does not constitute agreement with
the explanation’s substance by the members of the general assembly.

This bill amends Code chapter 717A, which provides that a
person who disrupts agricultural production at an agricultural
production facility (facility) is subject to criminal
prosecution. A facility is a location where agricultural
animals or crops are maintained, and includes related real
or personal property. The bill creates the criminal offense
of agricultural production facility trespass which involves
the use of deception to obtain access to a facility, which is
not open to the public, with the intent to cause physical or
economic harm or other injury to the facility’s operations,
property, or persons. The offense also involves obtaining
employment with the agricultural production facility by
deception with the intent to cause physical or economic harm
or other injury to the facility’s operations, property, or
persons.

A person who commits agricultural production facility
trespass is guilty of a serious misdemeanor for a first offense
and an aggravated misdemeanor for a second or subsequent
offense. The bill also expressly provides for the application
of the conspiracy statute. A person convicted of conspiracy
under the bill’s provisions is guilty of a misdemeanor of the
same class as the underlying offense.

A serious misdemeanor is punishable by confinement for no
more than one year and a fine of at least $315 but not more than
$1,875. An aggravated misdemeanor is punishable by confinement
for no more than two years and a fine of at least $625 but not
more than $6,250.

The bill takes effect upon enactment.