

February 28, 1963.

House File 515

Passed on File.

By KLUEVER, JARVIS, MAHAN, CUNNINGHAM,  
*Public Health & Pharmacy 3/11* HAGEN, REPERT and COFFMAN.

Passed House, Date.....

Passed Senate, Date.....

Vote: Ayes..... Nays.....

Vote: Ayes..... Nays.....

Approved.....

## A BILL FOR

An Act relating to the control and prevention of rabies.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 Section 1. This Act shall be known and may be cited as the  
2 "Rabies Control Act".

1 Sec. 2. Whenever used in this Act, unless a contrary intention  
2 is clearly evident, the following terms are used as herein de-  
3 fined:

4 1. "Dog" includes all members of the canine family, three (3)  
5 months or more of age, and also pet foxes and wolves.

6 2. "Owner" means any person having a right of property in a  
7 dog, or who keeps or harbors a dog, or who has it in his care, or  
8 acts as its custodian, or who knowingly permits a dog to remain  
9 on or about any premises occupied by him.

10 3. "Animal" means any animal other than dogs which may be  
11 affected by rabies.

12 4. "Has been bitten" means has been seized with the teeth or  
13 jaws, so that the thing seized has been nipped or gripped, or has  
14 been wounded or pierced.

15 5. "Inoculation against rabies" means the injection, sub-  
16 cutaneously or otherwise, as approved by the department of agri-  
17 culture, of canine antirabic vaccine approved by the department  
18 of agriculture.

19 6. "Rabies inspector" or "inspector" means the rabies in-  
20 spector appointed under this Act.

21 7. "Board" means the county board of supervisors in each  
22 county.

23 8. "Department" means the department of agriculture.

1 Sec. 3. The board of each county shall annually appoint a  
2 licensed veterinarian as rabies inspector. The rabies inspector  
3 may obtain as many deputy inspectors and non-veterinarian in-  
4 spectors to aid him as may be authorized and appointed by the  
5 board. The compensation of the inspector, deputy inspectors and  
6 non-veterinarian inspectors shall be fixed by the board for  
7 services other than for the inoculation of dogs. The inspector,  
8 deputies and non-veterinarian inspectors may be removed from  
9 office by the board for cause.

1 Sec. 4. It is the duty of the inspector, subject to the  
2 general supervision and regulations of the department, to enforce  
3 the provisions of this Act and to inoculate dogs or have this  
4 work done by his deputies. The inspector, his deputies and non-  
5 veterinarian inspectors are, for the purpose of enforcing this  
6 Act, clothed with full police power, and the sheriff and his  
7 deputies and municipal police officers shall cooperate with the  
8 inspector in carrying out the provisions of this Act.

1 Sec. 5. Each calendar year, or at such intervals as may here-  
2 after be promulgated by the department, every owner of a dog not  
3 confined at all times to an enclosed area, shall cause such dog  
4 to be inoculated against rabies by the rabies inspector, or by  
5 his deputy, or by any licensed veterinarian. Evidence of such  
6 inoculation shall consist of a certificate signed by the person  
7 administering the vaccine. The certificate shall be prepared and

8 furnished free of charge to the rabies inspectors by the depart-  
9 ment and shall contain such pertinent data as may be prescribed by  
10 the department. One copy of the certificate shall be given to  
11 the owner, one filed with the board within thirty (30) days after  
12 the inoculation, and one retained by the veterinarian administer-  
13 ing the inoculation as a permanent record. The type and brand  
14 of the rabies vaccine used must be approved by the United States  
15 department of agriculture and the department.

1 Sec. 6. The rabies inspector, deputy inspectors, or any  
2 licensed veterinarian who inoculates dogs against rabies shall  
3 procure from the county in which the dog owner resides serially  
4 numbered tags, one to be issued with each inoculation certificate.  
5 Such tag shall at all times be attached to a collar or harness  
6 worn by the dog for which the certificate and tag have been  
7 issued. The cost of the tags shall be determined by the board  
8 of each county. Tags shall be approved by the department of  
9 agriculture.

1 Sec. 7. The rabies inspector, deputy inspectors or any  
2 veterinarian administering inoculation shall at the time of  
3 inoculation collect such tag fee from the dog owner as is fixed  
4 by the board of the county in which the dog owner resides. Such  
5 fees shall be fixed, in each county, in such amount as may be  
6 required to pay all costs to the county of the rabies control  
7 program established pursuant to this Act. Such tag fees shall  
8 be paid to the county treasurer and by him placed in a county  
9 rabies fund to be set up by him for the purpose of paying all  
10 costs of the rabies control program.

1 Sec. 8. On and after June 1, 1964, any dog found running

2 at large and not wearing the evidence of inoculation as provided  
3 by this Act, and for which no certificate of inoculation can be  
4 produced, shall be apprehended and impounded. For this purpose  
5 the rabies inspector shall utilize any existing or available  
6 public pound.

1 Sec. 9. When dogs are apprehended and impounded by the rabies  
2 inspector, he shall give notice of not less than seven (7) days to  
3 the owner, if known, but if the dog wears a license tag the  
4 pound shall give such notice as required by law.

1 Sec. 10. All dogs which have been impounded for failure to be  
2 inoculated in accordance with the provisions of this Act, shall  
3 be humanely dispatched or disposed of by the pound as stray dogs,  
4 in accordance with the laws that exist or may hereafter exist  
5 when not redeemed by the owner within the period as provided in  
6 the previous section. This Act shall not prevent humane societies  
7 from engaging in activities provided by their charters and which  
8 are not inconsistent with this Act and other existing laws. In  
9 case the owner of any impounded dog desires to make redemption  
10 thereof, he may do so on the following conditions: He must pay  
11 for the inoculation of the dog, and must pay the public pound  
12 for the board of the dog for the period for which it was impound-  
13 ed, and one (1) dollar in addition as a penalty which shall be  
14 paid into the county rabies fund.

1 Sec. 11. The owner of any dog or other animal which exhibits  
2 symptoms of rabies, whether or not such dog has been vaccinated,  
3 shall immediately notify the rabies inspector, and shall promptly  
4 confine such dog, or have it confined, under suitable observation,  
5 for a period of at least ten days, unless officially authorized

6 by the rabies inspector, in writing, to release it sooner.

1     Sec. 12. Whenever the rabies inspector receives information  
2 that any person has been bitten by a dog or other animal, the  
3 rabies inspector shall have the said dog or other animal confined  
4 for a period of ten (10) days and such dog or animal shall be  
5 observed by a licensed veterinarian as may be required by the  
6 rabies inspector. It is unlawful for any person having knowledge  
7 that any person has been bitten by a dog or other animal to re-  
8 fuse to notify the inspector promptly. It is unlawful for the  
9 owner of such dog or other animal to refuse or fail to comply  
10 with the written or printed recommendations made by the rabies  
11 inspector, in any particular case. The written or printed  
12 recommendations shall be mailed by regular mail, postage prepaid,  
13 and addressed to the owner of the dog or other animal. The  
14 affidavit or testimony of the rabies inspector or other properly  
15 authorized agent of the rabies inspector who mailed such recom-  
16 mendations shall be prima facie evidence of the receipt of such  
17 recommendations by the owner of the dog or other animal. Any  
18 expense incurred in the handling of any dog or other animal  
19 under this and the preceding section shall be borne by the  
20 owner.

1     Sec. 13. Any person violating or aiding in or abetting the  
2 violation of any provision of this Act, or counterfeiting or  
3 forging any certificate, permit, or tag, or making any mis-  
4 representation in regard to any matter prescribed by this Act;  
5 or resisting, obstructing, or impeding any authorized officer in  
6 enforcing this Act; or refusing to produce for inoculation any  
7 dog in his possession, not confined at all times to an enclosed

8 area, shall be guilty of a misdemeanor and, upon conviction,  
9 shall be fined not less than twenty-five (25) dollars nor more  
10 than one hundred (100) dollars. Rabies inoculation tags shall  
11 be honored in and by all counties throughout the state of Iowa  
12 while animal is in transit or dog owner has established residence  
13 in another county.

1 Sec. 14. Nothing in this Act shall be held to limit in any  
2 manner the power of any municipality to prohibit dogs from  
3 running at large, whether or not they have been inoculated as  
4 herein provided; nor shall anything in this Act be construed to,  
5 in any manner, limit the power of any municipality to further  
6 control and regulate dogs in such municipality.

1 Sec. 15. The rabies inspector or deputy officers or anyone  
2 enforcing the provisions of this Act shall not be held respon-  
3 sible for any accident or disease that may happen to any dog.

1 Sec. 16. Each board shall make annual report to the depart-  
2 ment showing the number of dogs inoculated, fees and penalties  
3 collected, and the number of cases of rabies occurring in the  
4 respective county.

1 Sec. 17. The department shall have general supervision of  
2 the administration of this Act and may make reasonable rules and  
3 regulations, not inconsistent with this Act, for the enforce-  
4 ment of this Act and for the guidance of rabies inspectors.

1 Sec. 18. All money paid into the county rabies fund shall be  
2 used for paying the expenses of the office of rabies inspector  
3 and all other costs of the rabies control program, including  
4 establishing and operating one or more county dog pounds.

1 Sec. 19. Whenever a case of rabies has occurred in a locality,

2 or when the proper officials of a government unit are appre-  
3 hensive of the spread of rabies, the department shall prevent its  
4 spread among dogs and other animals. The department may order:

5 1. That all dogs or other animals in the locality be:

6 a. Kept confined within an enclosure, or

7 b. Kept muzzled and restrained by a leash composed of chain

8 or other indestructible materials;

9 2. That all owners or keepers of dogs or other animals take

10 such prophylactic measures as it deems necessary to prevent the

11 spread of rabies.

12 The department may determine the area of the locality in

13 which and the period of time during which such orders shall be

14 effective.

EXPLANATION OF HOUSE FILE 515

This bill would provide for a rabies control program with the department of agriculture at the head and the county board of supervisors implementing the program at the local level. The bill does not interfere with the power of cities to control and govern in such areas nor does the bill take away any humane action concerning dogs carried on by private institutions.