

FEB 14 2002
JUDICIARY

HOUSE FILE 2360
BY SHEY, BAUDLER, and TREMMEL

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act creating a criminal offense for possession or distribution
2 of anthrax, and providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2360

1 Section 1. NEW SECTION. 126.24 ANTHRAX.

2 1. UNLAWFUL POSSESSION. Any person who possesses bacillus
3 anthracis or any substance containing bacillus anthracis, is
4 guilty of a class "C" felony.

5 2. UNLAWFUL DISTRIBUTION. Any person who distributes
6 bacillus anthracis or any substance containing bacillus
7 anthracis to any other person which may or may not cause
8 exposure to bacillus anthracis, is guilty of a class "B"
9 felony.

10 3. EXCEPTIONS. This section shall not apply to a person
11 who possesses or distributes bacillus anthracis or any
12 substance containing bacillus anthracis which is being used
13 solely for a purpose which is lawfully authorized under
14 federal law.

15 EXPLANATION

16 This bill creates a criminal offense for possession or
17 distribution of bacillus anthracis, commonly referred to as
18 anthrax.

19 The bill provides that a person shall not possess anthrax
20 or a substance containing anthrax. The bill also provides
21 that person shall not knowingly distribute anthrax or any
22 substance containing anthrax to any other person which may or
23 may not cause exposure to anthrax.

24 The bill provides that a person who possesses anthrax or a
25 substance containing anthrax commits a class "C" felony. The
26 bill provides that a person who knowingly distributes anthrax
27 commits a class "B" felony.

28 A person who possesses or distributes anthrax or a
29 substance containing anthrax which is being used solely for a
30 purpose which is lawfully authorized under federal law is
31 exempt from the criminal penalties in the bill.

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