

FILED FEB 27 2006

SENATE FILE 2279  
BY MILLER

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to trespass by hunters and making a penalty  
2 applicable.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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JUDICIARY  
SF 2279

1 Section 1. Section 716.7, subsection 2, paragraph a, Code  
2 2005, is amended to read as follows:

3 a. Entering upon or in property without the express  
4 permission of the owner, lessee, or person in lawful  
5 possession with the intent to commit a public offense, to use,  
6 remove therefrom, alter, damage, harass, or place thereon or  
7 therein anything animate or inanimate, ~~or to hunt, fish or~~  
8 ~~trap on or in the property. This paragraph does not prohibit~~  
9 ~~the unarmed pursuit of game or furbearing animals lawfully~~  
10 ~~injured or killed which come to rest on or escape to the~~  
11 ~~property of another.~~

12 Sec. 2. Section 716.7, subsection 2, Code 2005, is amended  
13 by adding the following new paragraph:

14 NEW PARAGRAPH. aa. Entering upon or in property without  
15 the express written permission of the owner, lessee, or person  
16 in lawful possession, which permission is signed, dated, and  
17 indicates a specific date for which the permission is valid,  
18 to hunt, fish, or trap upon or in the property. This  
19 paragraph does not prohibit the unarmed pursuit of game or  
20 fur-bearing animals lawfully injured or killed which come to  
21 rest on or escape to the property of another.

22 EXPLANATION

23 This bill amends the definition of "trespass" to require a  
24 hunter to obtain written permission from the owner of property  
25 in order to enter upon the owner's property or be guilty of  
26 trespass. The written permission must be signed, dated, and  
27 indicate a specific date for which the permission is valid. A  
28 person who knowingly trespasses upon the property of another  
29 commits a simple misdemeanor. A person committing a trespass  
30 which results in injury to a person or damage in an amount  
31 more than \$200 to anything, animate or inanimate, located on  
32 the property commits a serious misdemeanor.

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