

that purpose, or at the appeal board's request, by the attorney general. Notwithstanding the petitioner's residency requirement in section 17A.19, subsection 2, a petition for judicial review may be filed in the district court of the county in which the petitioner was last employed or resides, provided that if the petitioner does not reside in this state, the action shall be brought in the district court of Polk county, Iowa, and any other party to the proceeding before the appeal board shall be named in the petition. Notwithstanding the thirty-day requirement in section 17A.19, subsection 6, the appeal board shall, within sixty days after filing of the petition for judicial review or within a longer period of time allowed by the court, transmit to the reviewing court the original or a certified copy of the entire records of a contested case. The appeal board may also certify to the court, questions of law involved in any decision by the appeal board. Petitions for judicial review and the questions so certified shall be given precedence over all other civil cases except cases arising under the workers' compensation law of this state. No bond shall be required for entering an appeal from any final order, judgment, or decree of the district court to the supreme court.

Sec. 11. EFFECTIVE DATE. This Act takes effect July 1, 1988, for purposes of rulemaking and administrative preparation and February 15, 1989, for all other purposes.

Approved May 5, 1988

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## CHAPTER 1163

### CIVIL RIGHTS VIOLATIONS

*H.F. 185*

**AN ACT** relating to violations of a person's civil rights and providing penalties.

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

Section 1. **NEW SECTION. 729.5 PROHIBITING VIOLATIONS OF AN INDIVIDUAL'S CIVIL RIGHTS — PENALTIES.**

1. Persons within the state of Iowa have the right to be free from any violence, or intimidation by threat of violence, committed against their persons or property because of their race, color, religion, ancestry, national origin, political affiliation, or sex.

2. A person who conspires with another person or persons to injure, oppress, threaten, or intimidate or interfere with any citizen in the free exercise or enjoyment of any right or privilege secured to that person by the constitution or laws of the state of Iowa or by the constitution or laws of the United States, and assembles with one or more persons for the purpose of teaching or being instructed in any technique or means capable of causing property damage, bodily injury or death when the person or persons intend to employ those techniques or means in furtherance of the conspiracy, is on conviction, guilty of a class "D" felony.

3. The fact that a person committed a felony or misdemeanor, or attempted to commit a felony, because of the victim's race, color, religion, nationality, country of origin, political affiliation, or sex, shall be considered a circumstance in aggravation of any crime in imposing sentence.

4. This section does not make unlawful the teaching of any technique in self-defense.

5. This section does not make unlawful any activity of:

a. Law enforcement officials of this or any other jurisdiction while engaged in the lawful performance of their official duties;

b. Federal officials required to carry firearms while engaged in the lawful performance of their official duties;

c. Members of the armed forces of the United States or the national guard while engaged in the lawful performance of their official duties; or

d. Any conservation commission, law enforcement agency, or any agency licensed to provide security services, or any hunting club, gun club, shooting range, or other organization or entity whose primary purpose is to teach the safe handling or use of firearms, archery equipment, or other weapons or techniques employed in connection with lawful sporting or other lawful activity.

Approved May 5, 1988

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## CHAPTER 1164

### DANGEROUS WEAPONS AND KNIVES

*H.F. 498*

**AN ACT** to revise provisions relating to dangerous weapons and the carrying of dangerous weapons and knives, and providing penalties.

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

Section 1. Section 702.7, Code 1987, is amended to read as follows:

702.7 DANGEROUS WEAPON.

A "dangerous weapon" is any instrument or device designed primarily for use in inflicting death or injury upon a human being or animal, and which is capable of inflicting death upon a human being when used in the manner for which it was designed. Additionally, any instrument or device of any sort whatsoever which is actually used in such a manner as to indicate that the defendant intends to inflict death or serious injury upon the other, and which, when so used, is capable of inflicting death upon a human being, is a dangerous weapon. Dangerous weapons include, but are not limited to, any offensive weapon, pistol, revolver, or other firearm, dagger, razor, stiletto, switchblade knife, or knife having a blade of three exceeding five inches or longer in length.

Sec. 2. Section 724.1, Code 1987, is amended by adding the following new subsection as subsection 5 and renumbering the subsequent subsections:

NEW SUBSECTION. 5. A ballistic knife. A ballistic knife is a knife with a detachable blade which is propelled by a spring-operated mechanism, elastic material, or compressed gas.

Sec. 3. Section 724.1, subsection 5, Code 1987, is amended to read as follows:

5 6. Any part or combination of parts either designed or intended to be used to convert any device into an offensive weapon as described in subsections 1 to 4 5 of this section, or to assemble into such an offensive weapon, except magazines or other parts, ammunition, or ammunition components used in common with lawful sporting firearms or parts including but not limited to barrels suitable for refitting to sporting firearms.

Sec. 4. Section 724.4, Code Supplement 1987, is amended to read as follows:

724.4 CARRYING WEAPONS.

1. A Except as otherwise provided in this section, a person who goes armed with a dangerous weapon concealed on or about the person, or who, within the limits of any city, goes armed with a pistol or revolver, or any loaded firearm of any kind, whether concealed or not, or who knowingly carries or transports in a vehicle a pistol or revolver, commits an aggravated misdemeanor, provided that this section shall not apply to any of the following: