

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

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:

2. A person who goes armed with a knife concealed on or about the person, if the person uses the knife in the commission of a crime, commits an aggravated misdemeanor.

3. A person who goes armed with a knife concealed on or about the person, if the person does not use the knife in the commission of a crime:

a. If the knife has a blade exceeding eight inches in length, commits an aggravated misdemeanor.

b. If the knife has a blade exceeding five inches but not exceeding eight inches in length, commits a serious misdemeanor.

4. Subsections 1 through 3 do not apply to any of the following:

1 a. A person who goes armed with a dangerous weapon in the person's own dwelling or place of business, or on land owned or possessed by the person.

2 b. Any A peace officer, when the officer's duties require the person to carry such weapons.

3 c. Any A member of the armed forces of the United States or of the national guard or person in the service of the United States, when the weapons are carried in connection with the person's duties as such.

4 d. A correctional officer, when the officer's duties require, serving under the authority of the Iowa department of corrections.

5 e. Any A person who for any lawful purpose carries an unloaded pistol, revolver, or other dangerous weapon inside a closed and fastened container or securely wrapped package which is too large to be concealed on the person.

6 f. Any A person who for any lawful purpose carries or transports an unloaded pistol or revolver in any a vehicle inside a closed and fastened container or securely wrapped package which is too large to be concealed on the person or inside a cargo or luggage compartment where the pistol or revolver will not be readily accessible to any person riding in the vehicle or common carrier.

7 g. Any A person while the person is lawfully engaged in target practice on a range designed for that purpose or while actually engaged in lawful hunting.

h. A person who carries a knife used in hunting or fishing, while actually engaged in lawful hunting or fishing.

8 i. Any A person who has in the person's possession and who displays to any a peace officer on demand a valid permit to carry weapons which has been issued to the person, and whose conduct is within the limits of that permit. No A person shall not be convicted of a violation of this section if the person produces at the person's trial a permit to carry weapons which was valid at the time of the alleged offense and which would have brought the person's conduct within this exception if the permit had been produced at the time of the alleged offense.

9 j. A law enforcement officer from another state when the officer's duties require the officer to carry the weapon and the officer is in this state for any of the following reasons:

a. (1) The extradition or other lawful removal of a prisoner from this state.

b. (2) Pursuit of a suspect in compliance with chapter 806.

e. (3) Activities in the capacity of a law enforcement officer with the knowledge and consent of the chief of police of the city or the sheriff of the county in which the activities occur or of the director of public safety.