

Senate File 609

March 27, 1967  
Passed on File  
*Safety and Law Enforcement 3/28*

By STANLEY

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

## A BILL FOR

An Act to prohibit the ownership, possession, and use of firearms for certain periods of time by persons convicted of a serious offense or by persons having been determined to be delinquent children.

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

1 Section 1. It shall be unlawful for any person to own,  
2 possess, or use any firearm if:

3 1. Such person has been convicted of any felony which is  
4 a dangerous crime as defined in this Act, unless at least  
5 twenty (20) years have elapsed since discharge from imprison-  
6 ment for such felony, or since such conviction if there was  
7 no imprisonment.

8 2. Such person has been convicted of any other felony,  
9 unless at least ten (10) years have elapsed since discharge  
10 from imprisonment for such felony, or since such conviction  
11 if there was no imprisonment.

12 3. Such person has been convicted of any misdemeanor  
13 which is a dangerous crime as defined in this Act, unless at  
14 least ten (10) years have elapsed since discharge from im-  
15 prisonment for such misdemeanor, or since such conviction if  
16 there was no imprisonment.

17 4. Such person has been determined to be a delinquent child  
18 pursuant to chapter two hundred thirty-two (232) of the Code,  
19 unless at least five (5) years have elapsed since such deter-  
20 mination.

1 Sec. 2. For the purposes of this Act:

2 1. "Dangerous crime" means any public offense which involves  
3 intentional injury of another person, attempt to injure another  
4 person, or the use of or threat of force or violence against  
5 another person. In addition, and without limiting the gener-  
6 ality of the foregoing, "dangerous crime" includes any viola-  
7 tion of this Act or any of the following provisions of the  
8 Code: chapters six hundred eighty-nine (689), six hundred  
9 ninety (690), six hundred ninety-three (693), six hundred  
10 ninety-four (694), six hundred ninety-seven (697), six hundred  
11 ninety-eight (698), six hundred ninety-nine (699), seven hun-  
12 dred six (706), seven hundred seven (707), seven hundred  
13 eight (708), seven hundred eleven (711), and seven hundred  
14 twenty (720), and sections six hundred ninety-two point one  
15 (692.1), six hundred ninety-five point one (695.1), seven  
16 hundred fourteen point two (714.2), seven hundred sixteen  
17 point nine (716.9), seven hundred forty-three point one  
18 (743.1), seven hundred forty-three point nine (743.9), seven  
19 hundred forty-five point one (745.1), and seven hundred forty-  
20 five point eight (745.8).

21 2. "Firearm" includes pistol, revolver, rifle, shotgun,  
22 and any weapon which uses explosive force to propel a pro-  
23 jectile.

24 3. A person "possesses" a firearm when it is in his  
25 possession or under his control, or in the possession of  
26 another person acting under his control. A person also  
27 "possesses" a firearm when he operates or rides in a motor  
28 vehicle, knowing that such firearm is in the motor vehicle.

29 4. "Convicted" means convicted under the laws of any  
30 state or nation.

1 Sec. 3. This Act does not apply to the possession or use  
2 of a firearm in line of duty by a member of the armed forces  
3 of the United States or the state of Iowa, including reserve  
4 forces.

1 Sec. 4. The provisions of this Act shall not be affected  
2 by any pardon or restoration of citizenship.

1       Sec. 5. Violation of this Act shall be punished by imprison-  
2 ment in the county jail not more than one (1) year, or by fine  
3 not exceeding five hundred (500) dollars, or by both such im-  
4 prisonment and fine.

#### EXPLANATION

This bill prohibits convicted felons and persons convicted of dangerous misdemeanors from owning, possessing, or using firearms. This restriction also applies to persons adjudicated to be delinquent children.

The period of prohibition varies according to the seriousness of the offense.

There is increasing pressure for gun registration and gun control laws which would penalize law-abiding citizens. This bill takes an entirely different approach. It restricts the person who has been convicted of a serious offense, but does not restrict the ordinary citizen.