

FILED FEB 7 1979

SENATE FILE 196

By MURRAY

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

A BILL FOR

1 An Act amending the weapons chapter of the criminal code by
 2 requiring the commissioner of public safety to promulgate
 3 rules setting forth minimum standards as to what consti-
 4 tutes reasonable justification for a person to go armed
 5 for the purpose of issuing a nonprofessional permit to
 6 carry weapons, by requiring persons who must successfully
 7 complete a firearm training program before being issued
 8 a permit to carry weapons to take a refresher program
 9 every five years, by allowing a sheriff fourteen days to
 10 determine an applicant's eligibility to obtain an annual
 11 permit to acquire pistols or revolvers, and providing
 12 penalties.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section seven hundred twenty-four point seven
2 (724.7), Code 1979, is amended by adding the following new
3 unnumbered paragraph:

4 NEW UNNUMBERED PARAGRAPH. The commissioner of public
5 safety shall promulgate rules pursuant to chapter seventeen
6 A (17A) of the Code setting forth minimum standards as to
7 what constitutes reasonable justification for a person to
8 go armed under this section.

9 Sec. 2. Section seven hundred twenty-four point eleven
10 (724.11), Code 1979, is amended to read as follows:

11 724.11 ISSUANCE OF PERMIT TO CARRY WEAPONS--FEES. Applica-
12 tions for permits to carry weapons shall be made to the sheriff
13 of the county in which the applicant resides. Applications
14 from persons who are nonresidents of the state, or whose need
15 to go armed arises out of employment by the state, shall be
16 made to the commissioner of public safety. In either case,
17 the issuance of the permit shall be by and at the discretion
18 of the sheriff or commissioner, who shall, before issuing
19 the permit, determine that the requirements of sections 724.6
20 through 724.10 have been satisfied. ~~However,--the-training~~
21 ~~program-requirements-in-section-724-9-may-be-waived-for-renewal~~
22 ~~permits-~~ Persons who must successfully complete the firearm
23 training program set forth in section seven hundred twenty-
24 four point nine (724.9) of the Code before being issued a
25 professional or nonprofessional permit to carry weapons shall
26 successfully complete the training program every fifth year
27 as a requirement of renewal.

28 PARAGRAPH DIVIDED. The issuing officer shall collect a
29 fee of five dollars, except from a duly appointed peace officer
30 or correctional officer, for each permit issued. Renewal
31 permits or duplicate permits shall be issued for a fee of
32 two dollars. The issuing officer shall notify the commissioner
33 of public safety of the issuance of any permit at least monthly
34 and forward to the commissioner an amount equal to two dollars
35 for each permit issued and one dollar for each renewal or

1 duplicate permit issued. All such fees received by the com-
2 missioner shall be paid to the treasurer of state and deposited
3 in the operating account of the department of public safety
4 to offset the cost of administering this chapter. Any unspent
5 balance as of June 30 thirtieth of each year shall revert
6 to the general fund as provided by section 8.33.

7 Sec. 3. Section seven hundred twenty-four point eighteen
8 (724.18), Code 1979, is amended to read as follows:

9 724.18 PROCEDURE FOR MAKING APPLICATION FOR ANNUAL PERMIT
10 TO ACQUIRE--ISSUANCE OF PERMIT. A person may personally
11 request the sheriff to mail an application for an annual
12 permit to acquire pistols or revolvers, and the sheriff shall
13 immediately forward to such person an application for an
14 annual permit to acquire pistols or revolvers. A person shall
15 upon completion of the application personally deliver such
16 application to the sheriff ~~who shall note the period of~~
17 ~~validity on the application and shall immediately issue the~~
18 ~~annual permit to acquire pistols or revolvers to the applicant.~~
19 The sheriff shall issue the annual permit to acquire pistols
20 or revolvers to an applicant who satisfies all requirements
21 of section seven hundred twenty-four point fifteen (724.15)
22 of the Code upon determining the applicant's eligibility
23 within fourteen days from the date of application. For the
24 purposes of this section the date of application shall be
25 the date on which the sheriff received the completed
26 application.

27 Sec. 4. Section seven hundred twenty-four point nineteen
28 (724.19), Code 1979, is amended to read as follows:

29 724.19 ISSUANCE CONTENTS OF ANNUAL PERMIT TO ACQUIRE.
30 The annual permit to acquire pistols or revolvers shall be
31 ~~issued to the applicant immediately upon completion of the~~
32 ~~application unless the applicant is disqualified under the~~
33 ~~provisions of section 724.15 and shall~~ be on a form prescribed
34 and published by the commissioner of public safety. The
35 permit shall contain the name of the permittee, the social

1 security number of the permittee, the residence of the
2 permittee, and the effective date of the permit becomes valid,
3 and the fact that the permit is valid for one year after the
4 date of issuance.

5 Sec. 5. Section seven hundred twenty-four point twenty
6 (724.20), Code 1979, is amended to read as follows:

7 724.20 VALIDITY OF ANNUAL PERMIT TO ACQUIRE PISTOLS OR
8 REVOLVERS. The permit shall be valid throughout the state
9 and shall be valid three days after the date of ~~application~~
10 issuance and shall be invalid one year after the date of
11 ~~application~~ issuance.

12 Sec. 6. This Act is effective January first following
13 its enactment.

14 EXPLANATION

15 The bill amends the weapons chapter of the criminal code
16 as follows:

17 1. It requires the commissioner of public safety to promul-
18 gate rules setting forth minimum standards as to what consti-
19 tutes reasonable justification for a person to go armed for
20 the purpose of issuing a nonprofessional permit to carry
21 weapons.

22 2. It requires persons who must successfully complete
23 a firearm training program before being issued a permit to
24 carry weapons to take a refresher program every five years.

25 3. It allows a sheriff two weeks to determine an
26 applicant's eligibility to obtain an annual permit to acquire
27 pistols or revolvers.

28 The Act is effective January first following its enactment.

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