

FILED FEB 26 1987

SENATE FILE 282
BY COMMITTEE ON JUDICIARY
(formerly SSB 100)
Approved 8-495

Passed Senate, Date 3-16-87 (p. 696) Passed House, Date 4-14-87 (p. 1308)
Vote: Ayes 46 Nays 0 Vote: Ayes 96 Nays 0
Approved _____

A BILL FOR

1 An Act to revise provisions relating to dangerous weapons and the
2 carrying of dangerous weapons and knives, and providing
3 penalties.

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

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SF 282

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

3 702.7 DANGEROUS WEAPON.

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

17 Sec. 2. Section 724.4, Code 1987, is amended to read as
18 follows:

19 724.4 CARRYING WEAPONS.

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

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

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

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

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

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

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

9 2 b. Any A peace officer, when the officer's duties
10 require the person to carry such weapons.

11 3 c. Any A member of the armed forces of the United States
12 or of the national guard or person in the service of the
13 United States, when the weapons are carried in connection with
14 the person's duties as such.

15 4 d. A correctional officer, when the officer's duties
16 require, serving under the authority of the Iowa department of
17 corrections.

18 5 e. Any A person who for any lawful purpose carries an
19 unloaded pistol, revolver, or other dangerous weapon inside a
20 closed and fastened container or securely wrapped package
21 which is too large to be concealed on the person.

22 6 f. Any A person who for any lawful purpose carries or
23 transports an unloaded pistol or revolver in any a vehicle
24 inside a closed and fastened container or securely wrapped
25 package which is too large to be concealed on the person or
26 inside a cargo or luggage compartment where the pistol or
27 revolver will not be readily accessible to any person riding
28 in the vehicle or common carrier.

29 7 g. Any A person while the person is lawfully engaged in
30 target practice on a range designed for that purpose or while
31 actually engaged in lawful hunting.

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

34 8 i. Any A person who has in the person's possession and
35 who displays to any a peace officer on demand a valid permit

1 to carry weapons which has been issued to the person, and
2 whose conduct is within the limits of that permit. No A
3 person shall not be convicted of a violation of this section
4 if the person produces at the person's trial a permit to carry
5 weapons which was valid at the time of the alleged offense and
6 which would have brought the person's conduct within this
7 exception if the permit had been produced at the time of the
8 alleged offense.

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

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

14 b- (2) Pursuit of a suspect in compliance with chapter
15 806.

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

20 EXPLANATION

21 This bill provides that a knife is a dangerous weapon if it
22 has a blade exceeding five inches in length. Under present
23 law a knife is a dangerous weapon if its blade is three inches
24 or longer in length. The bill expressly states that a
25 switchblade knife is a dangerous weapon.

26 The bill also revises the statute on carrying concealed
27 weapons to provide graduated penalties for carrying a knife.
28 If the knife has a blade exceeding eight inches in length or
29 is used in the commission of a crime, the offense remains an
30 aggravated misdemeanor. If the knife has a blade exceeding
31 five inches but not exceeding eight inches in length, the
32 offense is a serious misdemeanor. There would be no penalty
33 for carrying a knife having a blade less than five inches in
34 length.

35 The bill also adds an exception under the carrying statute

1 for a person who carries a knife used in hunting or fishing,
2 while actually engaged in hunting or fishing.

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SENATE FILE 282

S-3092

1 Amend Senate File 282 as follows:
2 1. Page 1, by inserting after line 16 the
3 following:
4 "Sec. 2. Section 724.1, Code 1987, is amended by
5 adding the following new subsection as subsection 8
6 and renumbering the subsequent subsection:
7 NEW SUBSECTION. 8. A ballistic knife. A
8 ballistic knife is a knife with a detachable blade
9 which is propelled by a spring operated mechanism,
10 elastic material, or compressed gas."
11 2. By renumbering sections as required.

S-3092

Filed March 2, 1987

By DONALD V. DOYLE

WJD 3/16/87 (p. 695)

SENATE FILE 282

S-3164

1 Amend Senate File 282 as follows:
2 1. Page 1, by inserting after line 16 the
3 following:
4 "Sec. ____ . Section 724.1, Code 1987, is amended by
5 adding the following new subsection as subsection 5
6 and renumbering the subsequent subsections:
7 NEW SUBSECTION. 5. A ballistic knife. A
8 ballistic knife is a knife with a detachable blade
9 which is propelled by a spring-operated mechanism,
10 elastic material, or compressed gas.
11 Sec. ____ . Section 724.1, subsection 5, Code 1987,
12 is amended to read as follows:
13 5 6. Any part or combination of parts either
14 designed or intended to be used to convert any device
15 into an offensive weapon as described in subsections 1
16 ~~to-4~~ through 5 of this section, or to assemble into
17 such an offensive weapon, except magazines or other
18 parts, ammunition, or ammunition components used in
19 common with lawful sporting firearms or parts
20 including but not limited to barrels suitable for
21 refitting to sporting firearms."
22 2. By renumbering sections as required.

S-3164

Filed March 12, 1987

BY DONALD V. DOYLE

Adopted 3/16 (p. 696)

See Judiciary 21-164

Senate File 282

Judiciary and Law Enforcement: Rosenberg, Chair; Hansen of Woodbury, Kremer, Quinn
Peterson of Carroll, Plasier and Sherzan.

*Amended
Peterson*

JUDICIARY: Doyle, Chair; Coleman and Holt

SENATE FILE **282**

BY COMMITTEE ON JUDICIARY

(AS AMENDED AND PASSED BY THE SENATE MARCH 16, 1987)

~~_____~~ - New Language by the Senate

Passed Senate, Date _____

Passed House, Date 4-14-87 (p. 1308)

Vote: Ayes _____ Nays _____

Vote: Ayes 96 Nays 0

Approved _____

A BILL FOR

1 An Act to revise provisions relating to dangerous weapons and the
2 carrying of dangerous weapons and knives, and providing
3 penalties.

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

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2 follows:

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

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

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

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

26 5 6. Any part or combination of parts either designed or
27 intended to be used to convert any device into an offensive
28 weapon as described in subsections 1 to-4 through 5 of this
29 section, or to assemble into such an offensive weapon, except
30 magazines or other parts, ammunition, or ammunition components
31 used in common with lawful sporting firearms or parts
32 including but not limited to barrels suitable for refitting to
33 sporting firearms.

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

1 724.4 CARRYING WEAPONS.

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

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

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

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

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

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

23 1 a. A person who goes armed with a dangerous weapon in
24 the person's own dwelling or place of business, or on land
25 owned or possessed by the person.

26 2 b. Any A peace officer, when the officer's duties
27 require the person to carry such weapons.

28 3 c. Any A member of the armed forces of the United States
29 or of the national guard or person in the service of the
30 United States, when the weapons are carried in connection with
31 the person's duties as such.

32 4 d. A correctional officer, when the officer's duties
33 require, serving under the authority of the Iowa department of
34 corrections.

35 5 e. Any A person who for any lawful purpose carries an

1 unloaded pistol, revolver, or other dangerous weapon inside a
2 closed and fastened container or securely wrapped package
3 which is too large to be concealed on the person.

4 6 f. Any A person who for any lawful purpose carries or
5 transports an unloaded pistol or revolver in any a vehicle
6 inside a closed and fastened container or securely wrapped
7 package which is too large to be concealed on the person or
8 inside a cargo or luggage compartment where the pistol or
9 revolver will not be readily accessible to any person riding
10 in the vehicle or common carrier.

11 7 g. Any A person while the person is lawfully engaged in
12 target practice on a range designed for that purpose or while
13 actually engaged in lawful hunting.

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

16 8 i. Any A person who has in the person's possession and
17 who displays to any a peace officer on demand a valid permit
18 to carry weapons which has been issued to the person, and
19 whose conduct is within the limits of that permit. No A
20 person shall not be convicted of a violation of this section
21 if the person produces at the person's trial a permit to carry
22 weapons which was valid at the time of the alleged offense and
23 which would have brought the person's conduct within this
24 exception if the permit had been produced at the time of the
25 alleged offense.

26 9 j. A law enforcement officer from another state when the
27 officer's duties require the officer to carry the weapon and
28 the officer is in this state for any of the following reasons:

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

31 b- (2) Pursuit of a suspect in compliance with chapter
32 806.

33 c- (3) Activities in the capacity of a law enforcement
34 officer with the knowledge and consent of the chief of police
35 of the city or the sheriff of the county in which the

1 activities occur or of the director of public safety.

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SENATE FILE 282

H-3704

1 Amend Senate File 282 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 1, by inserting after line 15 the
4 following:

5 "Sec. 2. Section 708.2, Code 1987, is amended by
6 adding the following new subsection after subsection 1
7 and renumbering the subsequent subsections:

8 NEW SUBSECTION. 2. A person who commits an
9 assault, as defined in section 708.1, and uses or
10 displays a firearm in connection with the assault, is
11 guilty of an aggravated misdemeanor. A person may not
12 be convicted and sentenced for a violation of both
13 this subsection and section 708.6 or 708.8 as a result
14 of the same incident.

15 Sec. 3. NEW SECTION. 718.7 TRAINING IN THE USE
16 OF WEAPONS OR EXPLOSIVES FOR USE IN CIVIL DISORDER
17 PROHIBITED.

18 1. As used in this section:

19 a. "Civil disorder" means any public disturbance
20 involving acts of violence which causes an immediate
21 danger of or results in damage or injury to any real
22 or personal property or person.

23 b. "Dangerous weapon" means a dangerous weapon as
24 defined in section 702.7.

25 c. "Explosive" means an explosive as defined in
26 section 101A.1.

27 d. "Offensive weapon" means an offensive weapon as
28 defined in section 724.1.

29 2. A person shall not:

30 a. Teach or demonstrate to any other person the
31 use, application, or manufacture of any dangerous
32 weapon, offensive weapon, explosive, or technique
33 capable of causing injury or death to persons, knowing
34 or having reasonable cause to know and intending that
35 the weapon, explosive, or technique will be unlawfully
36 employed for use in or in furtherance of a civil
37 disorder.

38 b. Assemble with one or more persons for the
39 purpose of training with, practicing with, or being
40 instructed in the use of any dangerous weapon,
41 offensive weapon, explosive, or technique capable of
42 causing injury or death to persons, intending to
43 employ the weapon, explosive, or technique unlawfully
44 for use in or in furtherance of a civil disorder.

45 3. A person convicted of a violation of this
46 section is guilty of a class "D" felony.

47 4. This section shall not apply to:

48 a. A peace officer of this or any other state in
49 the lawful performance of the officer's official
50 duties.

H-3704

Page Two

1 b. A federal official required to carry firearms
2 while engaged in the lawful performance of the
3 official's official duties.

4 c. A member of the armed forces of the United
5 States or of the national guard while engaged in the
6 lawful performance of the member's official duties.

7 d. The conservation commission or any law
8 enforcement agency, hunting club, gun club, shooting
9 range, or any other organization or entity whose
10 primary purpose is to teach the safe handling or use
11 of firearms, archery equipment, or other weapons or
12 techniques employed in connection with lawful sporting
13 or other lawful activity."

14 2. Page 3, line 6, by striking the word
15 "container" and inserting the following:
16 "container,".

17 3. Title page, line 1, by striking the words "to
18 revise" and inserting the following: "relating to
19 dangerous weapons, offensive weapons, and explosives,
20 by providing an enhanced penalty for assault when a
21 firearm is used or displayed, by prohibiting
22 instruction in the use of weapons or explosives for
23 use in civil disorder, and by revising".

24 4. By renumbering as required.

BY COMMITTEE ON JUDICIARY
AND LAW ENFORCEMENT

H-3704 FILED APRIL 10, 1987

Adopted 4/14/87 (p 1308)

HOUSE AMENDMENT TO
SENATE FILE 282

3652

1 Amend Senate File 282 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 1, by inserting after line 16 the
4 following:

5 "Sec. 2. Section 708.2, Code 1987, is amended by
6 adding the following new subsection after subsection 1
7 and renumbering the subsequent subsections:

8 NEW SUBSECTION. 2. A person who commits an
9 assault, as defined in section 708.1, and uses or
10 displays a firearm in connection with the assault, is
11 guilty of an aggravated misdemeanor. A person may not
12 be convicted and sentenced for a violation of both
13 this subsection and section 708.6 or 708.8 as a result
14 of the same incident.

15 Sec. 3. NEW SECTION. 718.7 TRAINING IN THE USE
16 OF WEAPONS OR EXPLOSIVES FOR USE IN CIVIL DISORDER
17 PROHIBITED.

18 1. As used in this section:

19 a. "Civil disorder" means any public disturbance
20 involving acts of violence which causes an immediate
21 danger of or results in damage or injury to any real
22 or personal property or person.

23 b. "Dangerous weapon" means a dangerous weapon as
24 defined in section 702.7.

25 c. "Explosive" means an explosive as defined in
26 section 101A.1.

27 d. "Offensive weapon" means an offensive weapon as
28 defined in section 724.1.

29 2. A person shall not:

30 a. Teach or demonstrate to any other person the
31 use, application, or manufacture of any dangerous
32 weapon, offensive weapon, explosive, or technique
33 capable of causing injury or death to persons, knowing
34 or having reasonable cause to know and intending that
35 the weapon, explosive, or technique will be unlawfully
36 employed for use in or in furtherance of a civil
37 disorder.

38 b. Assemble with one or more persons for the
39 purpose of training with, practicing with, or being
40 instructed in the use of any dangerous weapon,
41 offensive weapon, explosive, or technique capable of
42 causing injury or death to persons, intending to
43 employ the weapon, explosive, or technique unlawfully
44 for use in or in furtherance of a civil disorder.

45 3. A person convicted of a violation of this
46 section is guilty of a class "D" felony.

47 4. This section shall not apply to:

48 a. A peace officer of this or any other state in
the lawful performance of the officer's official
duties.

April 20, 1987

S-3652 pg. 2

1 b. A federal official required to carry firearms
2 while engaged in the lawful performance of the
3 official's official duties.

4 c. A member of the armed forces of the United
5 States or of the national guard while engaged in the
6 lawful performance of the member's official duties.

7 d. The conservation commission or any law
8 enforcement agency, hunting club, gun club, shooting
9 range, or any other organization or entity whose
10 primary purpose is to teach the safe handling or use
11 of firearms, archery equipment, or other weapons or
12 techniques employed in connection with lawful sporting
13 or other lawful activity."

14 2. Page 3, line 6, by striking the word
15 "container" and inserting the following:
16 "container,".

17 3. Title page, line 1, by striking the words "to
18 revise" and inserting the following: "relating to
19 dangerous weapons, offensive weapons, and explosives,
20 by providing an enhanced penalty for assault when a
21 firearm is used or displayed, by prohibiting
22 instruction in the use of weapons or explosives for
23 use in civil disorder, and by revising".

24 4. By renumbering as required.

S-3652

Filed April 16, 1987

RECEIVED FROM THE HOUSE

SENATE FILE 282

S-3724

1 Amend the amendment, S-3652, to Senate File 282, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. By striking page 1, line 15 through page 2,
5 line 16.

6 2. Page 2, by striking lines 21 through 23 and
7 inserting the following: "firearm is used or
8 displayed, and by revising".

9 3. By renumbering as necessary.

S-3724

Filed April 22, 1987

BY DONALD V. DOYLE

SENATE FILE 282

S-3808

1 Amend the House amendment, S-3652, to Senate File
2 282, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 2, by inserting after line 16 the
5 following:

6 "____. Page 4, by inserting after line 1 the
7 following:

8 "Sec. ____ Section 809.21, Code 1987, is amended
9 by adding the following new unnumbered paragraph:

10 NEW UNNUMBERED PARAGRAPH. Notwithstanding chapter
11 25A, the state of Iowa and employees of the state are
12 not liable for a claim arising from the retention,
13 sale, gift, or transfer of property pursuant to this
14 section."

15 2. By renumbering as necessary.

S-3808

Filed April 24, 1987

BY DONALD V. DOYLE

SSB # 100
Judiciary

SENATE FILE _____ SF 232
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL)

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

A BILL FOR

1 An Act to revise provisions relating to dangerous weapons and the
2 carrying of dangerous weapons and knives, and providing
3 penalties.

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

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SUB COMMITTEE ASSIGNMENTS
CHAIR: Doyle
COMMITTEE: Judiciary
2/10/87

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

3 702.7 DANGEROUS WEAPON.

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

17 Sec. 2. Section 724.4, Code 1987, is amended to read as
18 follows:

19 724.4 CARRYING WEAPONS.

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

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

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

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

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

4 c. If the knife has a blade at least three inches but not
5 exceeding five inches in length, commits a simple misdemeanor.

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

8 1 a. A person who goes armed with a dangerous weapon in
9 the person's own dwelling or place of business, or on land
10 owned or possessed by the person.

11 2 b. Any A peace officer, when the officer's duties
12 require the person to carry such weapons.

13 3 c. Any A member of the armed forces of the United States
14 or of the national guard or person in the service of the
15 United States, when the weapons are carried in connection with
16 the person's duties as such.

17 4 d. A correctional officer, when the officer's duties
18 require, serving under the authority of the Iowa department of
19 corrections.

20 5 e. Any A person who for any lawful purpose carries an
21 unloaded pistol, revolver, or other dangerous weapon inside a
22 closed and fastened container or securely wrapped package
23 which is too large to be concealed on the person.

24 6 f. Any A person who for any lawful purpose carries or
25 transports an unloaded pistol or revolver in any a vehicle
26 inside a closed and fastened container or securely wrapped
27 package which is too large to be concealed on the person or
28 inside a cargo or luggage compartment where the pistol or
29 revolver will not be readily accessible to any person riding
30 in the vehicle or common carrier.

31 7 g. Any A person while the person is lawfully engaged in
32 target practice on a range designed for that purpose or while
33 actually engaged in lawful hunting.

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

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1 offense is a simple misdemeanor although under the bill the
2 knife would not be expressly defined as a dangerous weapon.
3 There would be no penalty for carrying a knife having a blade
4 less than three inches in length.

5 The bill also adds an exception under the carrying statute
6 for a person who carries a knife used in hunting or fishing,
7 while actually engaged in hunting or fishing.

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