

## CHAPTER 683

### ACTIONS RELATED TO FIREARMS, FIREARM ACCESSORIES, AND AMMUNITION

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#### **683.1 Prohibition of certain actions resulting from criminal or unlawful use of firearm, firearm accessory, or ammunition by third party — definitions.**

1. As used in [this chapter](#), unless the context otherwise requires:

a. “*Ammunition*” means any projectile capable of being expelled or propelled from any firearm by the action of a propellant, any cartridge or shotshell designed for the purpose of expelling such a projectile from a firearm, and any component parts thereof.

b. “*Federal firearms licensee*” means any person engaged in the business of importing, manufacturing, or dealing in firearms as defined by the federal National Firearms Act, 26 U.S.C. §5841, and who currently holds a valid license according to provisions of the federal Gun Control Act of 1968, 18 U.S.C. §921.

c. “*Firearm*” means any weapon that is capable of expelling, designed to expel, or that may readily be converted to expel ammunition.

d. “*Firearm hold agreement*” means a private transaction between a federal firearms licensee and an individual owner where the licensee takes possession of the owner’s lawfully possessed firearm at the owner’s request, holds the firearm for an agreed period of time, and returns the firearm according to the terms of the transaction.

2. A person shall not bring or maintain an action against a firearm, firearm accessory, or ammunition manufacturer, importer, distributor, trade association, seller, or dealer for any of the following:

a. Recovery of damages resulting from, or injunctive relief or abatement of a nuisance, statutory or in common law, relating to, the lawful design, manufacture, marketing, or sale of a firearm, firearm accessory, or ammunition.

b. Recovery of damages resulting from the criminal or unlawful use of a firearm, firearm accessory, or ammunition by a third party. All defenses provided for in [section 668.12](#) shall apply to actions under [this section](#).

[2021 Acts, ch 34, §1](#); [2024 Acts, ch 1113, §1](#); [2024 Acts, ch 1154, §19](#)

Referred to in [§683.2, 683.3](#)

#### **683.2 Fees and costs awarded for prohibited actions.**

If a court finds that a party has brought an action under a theory of recovery described in [section 683.1, subsection 2](#), the finding constitutes conclusive evidence that the action is groundless, and the court shall dismiss the claim or action and award to the defendant any reasonable attorney fee and costs incurred in defending the claim or action.

[2021 Acts, ch 34, §2](#)

#### **683.3 Allowable actions.**

[This chapter](#) shall not be construed to prohibit a person from bringing or maintaining an action against a firearm, firearm accessory, or ammunition manufacturer, importer, distributor, trade association, seller, or dealer for recovery of damages for any of the following:

1. Breach of contract or warranty concerning firearms, firearms accessories, or ammunition purchased by a person.

2. Damage or harm to a person or to property owned or leased by a person caused by a defective firearm, firearm accessory, or ammunition.

3. Injunctive relief to enforce a valid statute, rule, or ordinance. However, a person shall

not bring an action seeking injunctive relief if that action is barred under [section 683.1, subsection 2](#).

[2021 Acts, ch 34, §3](#)

**683.4 Firearm hold agreements — liability.**

1. A person shall not have a cause of action against a federal firearms licensee operating lawfully in the state for any act or omission arising from or subsequent to a firearm hold agreement and resulting in personal injury or death of any natural person, including the return of a firearm to the individual firearm owner by a federal firearms licensee at the termination of a firearm hold agreement.

2. [Subsection 1](#) shall not apply to any action arising from a firearm hold agreement if such action was the result of otherwise unlawful conduct on the part of the federal firearms licensee.

[2024 Acts, ch 1113, §2](#)