

House Amendment 8674

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1 1 Amend House File 2700 as follows:
1 2 #1. Page 45, by inserting before line 28 the
1 3 following:
1 4 <DIVISION ____
1 5 PERMITS TO CARRY WEAPONS
1 6 Sec. _____. Section 229.24, subsection 1, Code 2007,
1 7 is amended to read as follows:
1 8 1. All Except as otherwise provided in this
1 9 section, all papers and records pertaining to any
1 10 involuntary hospitalization or application for
1 11 involuntary hospitalization of any person under this
1 12 chapter, whether part of the permanent record of the
1 13 court or of a file in the department of human
1 14 services, are subject to inspection only upon an order
1 15 of the court for good cause shown. ~~Nothing in this~~
1 16 This section shall not prohibit a hospital from
1 17 complying with the requirements of this chapter and of
1 18 chapter 230 relative to financial responsibility for
1 19 the cost of care and treatment provided a patient in
1 20 that hospital, ~~nor or~~ from properly billing any
1 21 responsible relative or third-party payer for such
1 22 care and treatment.
1 23 Sec. _____. Section 229.24, Code 2007, is amended by
1 24 adding the following new subsection:
1 25 NEW SUBSECTION. 4. The clerk of the district
1 26 court shall provide to the department of public safety
1 27 notice of all adjudications of persons involuntarily
1 28 committed to a mental institution for inpatient or
1 29 outpatient or other appropriate treatment by reason of
1 30 serious mental impairment under this chapter. Such
1 31 notice shall only be used by the department to submit
1 32 information to the national instant criminal
1 33 background system maintained by the federal bureau of
1 34 investigation and shall otherwise remain confidential.
1 35 Sec. _____. Section 724.7, Code 2007, is amended to
1 36 read as follows:
1 37 724.7 NONPROFESSIONAL PERMIT TO CARRY WEAPONS.
1 38 ~~Any A person who can reasonably justify going armed~~
1 39 may shall be issued a nonprofessional permit to carry
1 40 weapons. Such permits shall be on a form prescribed
1 41 and published by the commissioner of public safety,
1 42 which shall be readily distinguishable from the
1 43 professional permit, and shall identify the holder
1 44 thereof, and state the reason for the issuance of the
1 45 permit, and the limits of the authority granted by
1 46 such permit. All permits so issued shall be for a
1 47 definite period as established by the issuing officer,
1 48 but in no event shall exceed a period of twelve
1 49 months.
1 50 Sec. _____. Section 724.8, Code 2007, is amended to
2 1 read as follows:
2 2 724.8 PERSONS ELIGIBLE FOR PERMIT TO CARRY
2 3 WEAPONS.
2 4 ~~No A~~ person shall not be issued a professional or
2 5 nonprofessional permit to carry weapons unless:
2 6 1. The person is eighteen years of age or older
2 7 for a professional permit or twenty-one years or older
2 8 for a nonprofessional permit.
2 9 2. The person has never been convicted of a
2 10 felony.
2 11 3. The person is not addicted to the use of
2 12 alcohol or any controlled substance.
2 13 4. The person has no history of repeated acts of
2 14 violence.
2 15 5. The issuing officer reasonably determines that
2 16 the applicant does not constitute a danger to any
2 17 person.
2 18 6. The person has never been convicted of any
2 19 crime defined in chapter 708, except "assault" as
2 20 defined in section 708.1 and "harassment" as defined
2 21 in section 708.7.
2 22 7. The person has not been committed to a mental
2 23 institution for purposes of 18 U.S.C. } 922 (g)(4).
2 24 8. The person is not subject to a protective order

2 25 pursuant to 18 U.S.C. } 922(g)(8) and has not been
2 26 convicted of a misdemeanor crime of domestic violence
2 27 pursuant to 18 U.S.C. } 922(g)(9). It is the intent
2 28 of the general assembly that violations of these
2 29 federal laws be strictly enforced in the courts of
2 30 this state.

2 31 Sec. _____. Section 724.9, Code 2007, is amended to
2 32 read as follows:

2 33 724.9 FIREARM FIREARMS TRAINING PROGRAM.

2 34 A training program to qualify persons in the safe
2 35 use of firearms shall be provided by the issuing
2 36 officer of permits, as provided in section 724.11.

2 37 1. The commissioner of public safety shall
2 38 establish minimum standards for a training program
2 39 designed to qualify persons in the safe use of
2 40 firearms and shall include a course of instruction
2 41 designed to qualify a person on a firing range. The
2 42 course of instruction shall be limited to a maximum of
2 43 six hours in length. The course of instruction shall
2 44 include all of the following:

2 45 a. Firearms safety in the classroom, at home, on
2 46 the firing range, and while carrying the firearm.

2 47 b. A physical demonstration performed by the
2 48 applicant that demonstrates the applicant's ability to
2 49 safely load and unload a revolver or a semiautomatic
2 50 pistol and the applicant's marksmanship.

3 1 c. The basic principles of marksmanship.

3 2 d. The law relating to firearms pursuant to this
3 3 chapter.

3 4 e. The law relating to the justifiable use of
3 5 force pursuant to chapter 704.

3 6 f. A live fire shooting test administered to an
3 7 applicant pursuant to section 724.9A.

3 8 2. The commissioner of public safety shall approve
3 9 the training program, and the county sheriff or the
3 10 commissioner of public safety conducting the training
3 11 program within their respective jurisdictions may
3 12 contract with a private organization or use the
3 13 services of other agencies, or may use a combination
3 14 of the two, to provide ~~such~~ a training program that
3 15 meets the standards specified in subsection 1. Any

3 16 person eligible to be issued a permit to carry weapons
3 17 may enroll in such course. A fee sufficient to cover
3 18 the cost of the program may be charged to each person
3 19 attending. Certificates of completion, on a form
3 20 prescribed and published by the commissioner of public
3 21 safety, shall be issued by a qualified firearms safety
3 22 instructor subject to the restrictions of section

3 23 724.9B to each person who successfully completes the
3 24 program. ~~No~~ A person shall not be issued either a
3 25 professional or nonprofessional permit unless the
3 26 person has received a certificate of completion or is
3 27 a certified peace officer. ~~No~~ A peace officer or
3 28 correctional officer, except a certified peace
3 29 officer, shall not go armed with a pistol or revolver
3 30 unless the officer has received a certificate of
3 31 completion, provided that this requirement shall not
3 32 apply to persons who are employed in this state as
3 33 ~~peace officers on January 1, 1978 until July 1, 1978,~~
3 34 ~~or to peace officers of other jurisdictions exercising~~
3 35 their legal duties within this state.

3 36 Sec. _____. NEW SECTION. 724.9A LIVE FIRE SHOOTING
3 37 TEST.

3 38 1. A live fire shooting test shall be administered
3 39 in the presence of a firearms safety instructor
3 40 qualified under section 724.9C to an applicant for a
3 41 nonprofessional permit to carry weapons. The live
3 42 fire shooting test shall consist of thirty rounds
3 43 fired from a standing position or its equivalent at a
3 44 distance from a B=27 silhouette target or an FBI "Q"
3 45 target, ten rounds fired from a distance of five
3 46 yards, ten rounds fired from a distance of seven
3 47 yards, and ten rounds fired from a distance of ten
3 48 yards. Two sets of five rounds shall be fired
3 49 consecutively at each designated distance and each
3 50 five-round string shall be fired within thirty
4 1 seconds. Twenty-one of the rounds fired must strike
4 2 either the eight-ring on the B=27 target or the
4 3 smallest FBI "Q" target to pass the live fire shooting
4 4 test.

4 5 2. An applicant for a nonprofessional permit to

4 6 carry weapons may attempt to pass the live fire
4 7 shooting test administered pursuant to subsection 1 up
4 8 to three times in one day but must pass the shooting
4 9 test within two weeks of completing a firearms
4 10 training program pursuant to section 724.9. An
4 11 applicant who fails the live fire shooting test within
4 12 the requisite two-week period shall be required to
4 13 retake the firearms training program prior to again
4 14 attempting to pass the live fire shooting test.

4 15 3. The provisions of this section shall be
4 16 implemented uniformly throughout the state and shall
4 17 constitute the statewide standard for the course of
4 18 instruction qualifying a person to shoot on a firing
4 19 range pursuant to section 724.9.

4 20 Sec. _____. NEW SECTION. 724.9B CERTIFICATE OF
4 21 COMPLETION.

4 22 A qualified firearms safety instructor shall not
4 23 issue a certificate of completion to an applicant for
4 24 a permit to carry weapons who does any of the
4 25 following:

4 26 1. Fails to demonstrate the requisite knowledge
4 27 and technique regarding the proper handling of a
4 28 firearm.

4 29 2. Handles a firearm in a manner that, in the
4 30 judgment of the qualified firearms safety instructor,
4 31 poses a danger to the applicant or others.

4 32 3. Fails the live fire shooting test pursuant to
4 33 the requirements specified in section 724.9A.

4 34 Sec. _____. NEW SECTION. 724.9C QUALIFIED FIREARMS
4 35 SAFETY INSTRUCTOR.

4 36 A firearms safety instructor shall be considered to
4 37 be a qualified firearms safety instructor if the
4 38 instructor has any of the following qualifications:

4 39 1. Is a valid firearms safety instructor certified
4 40 by the national rifle association holding a rating as
4 41 a personal protection instructor or pistol
4 42 marksmanship instructor.

4 43 2. Submits a photocopy of a certificate of
4 44 completion of a firearms safety instructor course
4 45 offered by a local, state, or federal governmental
4 46 agency and approved by the department of public
4 47 safety.

4 48 3. Submits a photocopy of a certificate of
4 49 completion of a firearms safety instructor course
4 50 approved by the department of public safety.

5 1 4. Has successfully completed a firearms safety
5 2 instructor course given by or under the supervision of
5 3 any state, county, municipal, or federal enforcement
5 4 agency.

5 5 5. Is a certified police officer firearms safety
5 6 instructor.

5 7 6. Is a certified law enforcement academy firearms
5 8 safety instructor.

5 9 Sec. _____. Section 724.11, Code 2007, is amended to
5 10 read as follows:

5 11 724.11 ISSUANCE OF PERMIT TO CARRY WEAPONS.

5 12 1. Applications for permits to carry weapons shall
5 13 be made to the sheriff of the county in which the
5 14 applicant resides. Applications from persons who are
5 15 nonresidents of the state, or whose need to go armed
5 16 arises out of employment by the state, shall be made
5 17 to the commissioner of public safety. In either case,
5 18 the issuance of the permit shall be by and at the
5 19 discretion of the sheriff or commissioner, who shall,
5 20 before issuing the permit, determine that the
5 21 requirements of sections 724.6 to 724.10 have been
5 22 satisfied. However, the training program requirements
5 23 in section 724.9 ~~may~~ shall be waived for renewal
5 24 permits. If the sheriff or the commissioner restricts
5 25 or denies an application for a permit under this
5 26 section, the sheriff or commissioner shall provide a
5 27 written statement of the reasons for the restriction
5 28 or the denial to the applicant by certified mail
5 29 within fifteen working days of the filing of the
5 30 application.

5 31 2. The issuing officer shall collect a fee of ten
5 32 dollars, except from a duly appointed peace officer or
5 33 correctional officer, for each permit issued. Renewal
5 34 permits or duplicate permits shall be issued for a fee
5 35 of five dollars. The issuing officer shall notify the
5 36 commissioner of public safety of the issuance of any

5 37 permit at least monthly and forward to the
5 38 commissioner an amount equal to two dollars for each
5 39 permit issued and one dollar for each renewal or
5 40 duplicate permit issued. All such fees received by
5 41 the commissioner shall be paid to the treasurer of
5 42 state and deposited in the operating account of the
5 43 department of public safety to offset the cost of
5 44 administering this chapter. Any unspent balance as of
5 45 June 30 of each year shall revert to the general fund
5 46 as provided by section 8.33.

5 47 Sec. _____. NEW SECTION. 724.11A RECIPROCITY.

5 48 A person possessing a valid permit issued by
5 49 another state to carry a weapon shall be entitled to
5 50 the privileges and subject to the restrictions
6 1 prescribed in this chapter provided the state that
6 2 issued the license has training requirements that are
6 3 equal to or greater than the training requirements
6 4 prescribed by this chapter. The department of public
6 5 safety shall determine which states qualify as
6 6 reciprocal states, shall maintain an up-to-date list
6 7 of such states, and shall post such information on the
6 8 department's internet site.

6 9 Sec. _____. NEW SECTION. 724.14 IMMUNITY.

6 10 The sheriff or the commissioner of public safety
6 11 shall not be liable for damages in any civil action
6 12 arising from the alleged wrongful issuance, renewal,
6 13 or failure to revoke a permit to carry weapons
6 14 provided that the sheriff or the commissioner acted
6 15 reasonably and in good faith and in accordance with
6 16 the provisions of this chapter in carrying out the
6 17 sheriff's or the commissioner's official duties.

6 18 Sec. _____. EFFECTIVE DATE. The sections of this
6 19 division of this Act amending section 229.24 take
6 20 effect January 1, 2009.>

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