

House File 2439

H-8304

1 Amend House File 2439 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting:

4 <Section 1. Section 80A.13, Code 2009, is amended  
5 to read as follows:

6 **80A.13 Campus weapon requirements.**

7 An individual employed by a college or university,  
8 or by a private security business holding a contract  
9 with a college or university, who performs private  
10 security duties on a college or university campus and  
11 who carries a weapon while performing these duties  
12 shall meet all of the following requirements:

13 1. ~~File with the sheriff of the county in which  
14 the campus is located evidence that the individual has  
15 successfully completed an approved firearms training  
16 program under section 724.9. This requirement does not  
17 apply to armored car personnel.~~

18 2. ~~Possess a permit to carry weapons issued by the  
19 sheriff of the county in which the campus is located  
20 under sections 724.6 through 724.11. This requirement  
21 does not apply to armored car personnel.~~

22 3. ~~File file with the sheriff of the county in  
23 which the campus is located a sworn affidavit from  
24 the employer outlining the nature of the duties to be  
25 performed and justification of the need to go armed.~~

26 Sec. 2. Section 724.4, Code 2009, is amended to  
27 read as follows:

28 **724.4 Carrying weapons.**

29 1. Except as otherwise provided in this section, a  
30 person who goes armed with a dangerous weapon ~~concealed~~  
31 ~~on or about the person, or who, within the limits of~~  
32 ~~any city, goes armed with a pistol or revolver, or~~  
33 ~~any loaded firearm of any kind, whether concealed~~  
34 ~~or not, or who knowingly carries or transports in a~~  
35 ~~vehicle a pistol or revolver, commits an aggravated~~  
36 ~~misdemeanor with the intent to commit a crime of~~  
37 violence commits a class "D" felony. This subsection  
38 applies regardless of whether the dangerous weapon  
39 is concealed or not concealed on or about the person  
40 and regardless of whether the dangerous weapon is  
41 transported in a vehicle. For purposes of this  
42 subsection, "crime of violence" means a felony which  
43 has, as an element of the offense, the use of physical  
44 force by one person against another person.

45 2. A person who goes armed with a knife concealed  
46 on or about the person, if the person uses the knife  
47 in the commission of a crime, commits an aggravated  
48 misdemeanor.

49 3. A person who goes armed with a knife concealed  
50 on or about the person, if the person does not use the

1 knife in the commission of a crime:  
2     *a.* If the knife has a blade exceeding eight inches  
3 in length, commits an aggravated misdemeanor.  
4     *b.* If the knife has a blade exceeding five inches  
5 but not exceeding eight inches in length, commits a  
6 serious misdemeanor.  
7     4. Subsections 1 through 3 do not apply to any of  
8 the following:  
9     *a.* A person who for any lawful purpose goes armed  
10 with a dangerous weapon in the person's own dwelling  
11 or place of business, or on land owned or possessed by  
12 the person.  
13     *b.* A peace officer, when the officer's duties  
14 require the person to carry such weapons.  
15     ~~*c.* A member of the armed forces of the United~~  
16 ~~States or of the national guard or person in the~~  
17 ~~service of the United States, when the weapons are~~  
18 ~~carried in connection with the person's duties as such.~~  
19     ~~*d.* A correctional officer, when the officer's~~  
20 ~~duties require, serving under the authority of the Iowa~~  
21 ~~department of corrections.~~  
22     ~~*e.* *c.* A person who for any lawful purpose carries~~  
23 ~~an unloaded pistol, revolver, or other dangerous weapon~~  
24 ~~inside a closed and fastened container or securely~~  
25 ~~wrapped package which is too large to be concealed on~~  
26 ~~the person.~~  
27     ~~*f.* A person who for any lawful purpose carries or~~  
28 ~~transports an unloaded pistol or revolver in a vehicle~~  
29 ~~inside a closed and fastened container or securely~~  
30 ~~wrapped package which is too large to be concealed on~~  
31 ~~the person or inside a cargo or luggage compartment~~  
32 ~~where the pistol or revolver will not be readily~~  
33 ~~accessible to any person riding in the vehicle or~~  
34 ~~common carrier.~~  
35     ~~*g.* A person while the person is lawfully engaged in~~  
36 ~~target practice on a range designed for that purpose or~~  
37 ~~while actually engaged in lawful hunting.~~  
38     ~~*h.* *d.* A person who carries a knife used in hunting~~  
39 ~~or fishing, while actually engaged in lawful hunting~~  
40 ~~or fishing.~~  
41     ~~*i.* A person who has in the person's possession~~  
42 ~~and who displays to a peace officer on demand a valid~~  
43 ~~permit to carry weapons which has been issued to the~~  
44 ~~person, and whose conduct is within the limits of that~~  
45 ~~permit. A person shall not be convicted of a violation~~  
46 ~~of this section if the person produces at the person's~~  
47 ~~trial a permit to carry weapons which was valid at~~  
48 ~~the time of the alleged offense and which would have~~  
49 ~~brought the person's conduct within this exception if~~  
50 ~~the permit had been produced at the time of the alleged~~

1 offense.

2 ~~j.~~ e. A law enforcement officer from another state  
3 when the officer's duties require the officer to carry  
4 the weapon and the officer is in this state for any of  
5 the following reasons:

6 (1) The extradition or other lawful removal of a  
7 prisoner from this state.

8 (2) Pursuit of a suspect in compliance with chapter  
9 806.

10 (3) Activities in the capacity of a law enforcement  
11 officer with the knowledge and consent of the chief  
12 of police of the city or the sheriff of the county in  
13 which the activities occur or of the commissioner of  
14 public safety.

15 ~~k.~~ f. A person engaged in the business of  
16 transporting prisoners under a contract with the  
17 Iowa department of corrections or a county sheriff,  
18 a similar agency from another state, or the federal  
19 government.

20 Sec. 3. Section 724.4B, subsection 2, paragraph a,  
21 Code 2009, is amended to read as follows:

22 a. A person listed under section 724.4, subsection  
23 4, ~~paragraphs~~ paragraph "b" through "~~f~~", "~~c~~", or  
24 "~~j~~" "e".

25 Sec. 4. Section 724.6, subsection 1, Code  
26 Supplement 2009, is amended to read as follows:

27 1. ~~A person may be issued a permit to carry weapons~~  
28 ~~when the person's employment~~ who is employed in a  
29 private investigation business or private security  
30 business licensed under chapter 80A, ~~or a person's~~  
31 ~~employment~~ as a peace officer, correctional officer,  
32 security guard, bank messenger or other person  
33 transporting property of a value requiring security, or  
34 in police work, whose employment reasonably justifies  
35 that person going armed, shall be issued a professional  
36 permit to carry weapons if the person applies for  
37 the permit and meets the requirements of sections  
38 724.8 through 724.10. The permit shall be on a form  
39 prescribed and published by the commissioner of public  
40 safety, shall identify the holder, and shall state  
41 the nature of the employment requiring the holder to  
42 go armed. A permit so issued, other than to a peace  
43 officer, shall authorize the person to whom it is  
44 issued to go armed anywhere in the state, ~~only~~ while  
45 engaged in the employment, and while going to and from  
46 the place of the employment. A permit issued to a  
47 certified peace officer shall authorize that peace  
48 officer to go armed anywhere in the state at all times.  
49 Permits shall expire ~~twelve months~~ five years after the  
50 date when issued except that permits issued to peace

1 officers and correctional officers are valid through  
2 the officer's period of employment unless otherwise  
3 canceled. When the employment is terminated, the  
4 holder of the permit shall surrender it to the issuing  
5 officer for cancellation.

6 Sec. 5. Section 724.7, Code 2009, is amended to  
7 read as follows:

8 **724.7 Nonprofessional permit to carry weapons.**

9 Any person ~~who can reasonably justify going armed~~  
10 may not otherwise prohibited from possessing or  
11 transporting a firearm and who meets the requirements  
12 in sections 724.8 through 724.10 shall be issued a  
13 nonprofessional permit to carry weapons if the person  
14 applies for such permit. Such permits shall be on a  
15 form prescribed and published by the commissioner of  
16 public safety, which shall be readily distinguishable  
17 from the professional permit, and shall identify the  
18 holder thereof, and state the reason for the issuance  
19 of the permit, and the limits of the authority granted  
20 by such permit. All permits so issued shall be for a  
21 definite five-year period as established by the issuing  
22 officer, but in no event shall exceed a period of  
23 twelve months.

24 Sec. 6. Section 724.8, subsection 5, Code 2009, is  
25 amended to read as follows:

26 5. ~~The issuing officer reasonably determines that~~  
27 ~~the applicant does not constitute a danger to any~~  
28 person person is not otherwise prohibited by state or  
29 federal law from possessing or transporting a firearm.

30 Sec. 7. Section 724.9, Code 2009, is amended to  
31 read as follows:

32 **724.9 Firearm training program.**

33 A training program to qualify persons in the safe  
34 use of firearms shall be provided by the issuing  
35 officer of permits, as provided in section 724.11.  
36 ~~The commissioner of public safety shall approve~~  
37 ~~the training program, and the county sheriff or~~  
38 ~~the commissioner of public safety conducting the~~  
39 ~~training program within their respective jurisdictions~~  
40 may shall contract with a private organization or  
41 use the services of other agencies, or may use a  
42 combination of the two, to provide such training a  
43 private individual or a professional organization who  
44 shall conduct the training consistent with training  
45 standards set forth by the national rifle association.  
46 Any person eligible to be issued a permit to carry  
47 weapons may enroll in such course. A fee sufficient  
48 to cover the cost of the program may be charged each  
49 person attending. Certificates of completion, on a  
50 form prescribed and published by the commissioner

1 of public safety, shall be issued to each person who  
2 successfully completes the program. No A person shall  
3 not be issued either a professional or nonprofessional  
4 permit unless the person has received a certificate of  
5 completion or is a certified peace officer. No peace  
6 officer or correctional officer, except a certified  
7 peace officer, shall go armed with a pistol or revolver  
8 unless the officer has received a certificate of  
9 completion, provided that this requirement shall not  
10 apply to persons who are employed in this state as  
11 peace officers on January 1, 1978 until July 1, 1978,  
12 or to peace officers of other jurisdictions exercising  
13 their legal duties within this state.

14 Sec. 8. Section 724.11, Code 2009, is amended to  
15 read as follows:

16 **724.11 Issuance of permit to carry weapons.**

17 Applications for permits An application for a  
18 permit to carry weapons, if made, shall be made to the  
19 sheriff of the county in which the applicant resides.  
20 Applications from persons who are nonresidents of  
21 the state, or whose need to go armed arises out  
22 of employment by the state, shall be made to the  
23 commissioner of public safety. In either case,  
24 the issuance of the permit shall be by ~~and at the~~  
25 ~~discretion of~~ the sheriff or commissioner, who  
26 shall, before issuing the permit, determine that the  
27 requirements of sections ~~724.6 to~~ 724.8 through 724.10  
28 have been satisfied and the person is not otherwise  
29 prohibited by state or federal law from possessing or  
30 transporting a firearm. However, the training program  
31 ~~requirements in section 724.9 may be waived for renewal~~  
32 ~~permits.~~ The issuing officer shall collect a fee  
33 of ten fifty dollars, except from a duly appointed  
34 peace officer or correctional officer, for each permit  
35 issued. Renewal permits or duplicate permits shall be  
36 issued for a fee of five dollars. The issuing officer  
37 shall notify the commissioner of public safety of the  
38 issuance of any permit at least monthly and forward to  
39 the commissioner an amount equal to two dollars for  
40 each permit issued and one dollar for each renewal  
41 or duplicate permit issued. All such fees received  
42 by the commissioner shall be paid to the treasurer  
43 of state and deposited in the operating account of  
44 the department of public safety to offset the cost of  
45 administering this chapter. Any unspent balance as of  
46 June 30 of each year shall revert to the general fund  
47 as provided by section 8.33.

48 **Sec. 9. NEW SECTION. 724.11A Reciprocity.**

49 A person possessing a valid out-of-state permit to  
50 carry a weapon shall be entitled to the privileges and

1 subject to the restrictions prescribed by this chapter  
2 provided the state that issued the license recognizes  
3 weapons permits issued in Iowa and provided the person  
4 possessing such permit is not otherwise prohibited from  
5 possessing a firearm.

6 Sec. 10. REPEAL. Section 724.5, Code 2009, is  
7 repealed.>

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SORENSEN of Warren