

H-8291

1 Amend House File 2473 as follows:

2 1. Page 15, after line 12 by inserting:

3

<DIVISION

4

CARRYING AND POSSESSION OF WEAPONS

5

Sec. _____. Section 232.52, subsection 2, paragraph

6

a, subparagraph (4), subparagraph division (a),

7

subparagraph subdivision (viii), Code 2014, is amended

8

to read as follows:

9

(viii) Section 724.4, if the child ~~carried the~~

10

~~dangerous weapon~~ used the knife in the commission of

11

a crime on school grounds.

12

Sec. _____. Section 708.8, Code 2014, is amended to

13

read as follows:

14

708.8 Going armed with intent.

15

A person who goes armed with any dangerous weapon

16

with the intent to use without justification such

17

weapon against the person of another commits a class

18

"D" felony. The intent required for a violation

19

of this section shall not be inferred from the mere

20

carrying or concealment of any dangerous weapon itself,

21

including the carrying of a loaded firearm, whether in

22

a vehicle or on or about a person's body.

23

Sec. _____. Section 724.4, Code 2014, is amended by

24

striking the section and inserting in lieu thereof the

25

following:

26

724.4 Use of a knife in the commission of a crime.

27

A person who goes armed with a knife on or about the

28

person, if the person uses the knife in the commission

29

of a crime, commits an aggravated misdemeanor.

30

Sec. _____. Section 724.4B, Code 2014, is amended by

31

striking the section and inserting in lieu thereof the

32

following:

33

724.4B Carrying weapons on school grounds — penalty

34

— exceptions.

35

1. A person who goes armed with, carries, or

36

transports a firearm of any kind, whether concealed or

37

not, on the grounds of a school commits a class "D"

38

felony. For the purposes of this section, "school"

39

means a public or nonpublic school as defined in

40

section 280.2.

41

2. Subsection 1 does not apply to the following:

42

a. A person who has been specifically authorized

43

by the school to go armed with, carry, or transport a

44

firearm on the school grounds for any lawful purpose.

45

b. A peace officer, when the officer's duties

46

require the person to carry such weapons.

47

c. A member of the armed forces of the United

48

States or of the national guard or person in the

49

service of the United States, when the weapons are

50

carried in connection with the person's duties as such.

1 d. A correctional officer, when the officer's
2 duties require, serving under the authority of the Iowa
3 department of corrections.

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

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

17 g. A law enforcement officer from another state
18 when the officer's duties require the officer to carry
19 the weapon and the officer is in this state for any of
20 the following reasons:

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

23 (2) Pursuit of a suspect in compliance with chapter
24 806.

25 (3) Activities in the capacity of a law enforcement
26 officer with the knowledge and consent of the chief
27 of police of the city or the sheriff of the county in
28 which the activities occur or of the commissioner of
29 public safety.

30 Sec. _____. Section 724.4C, Code 2014, is amended to
31 read as follows:

32 **724.4C Possession or carrying of firearms while**
33 **under the influence.**

34 ~~1. A permit issued under this chapter is invalid~~
35 ~~if the~~ Except as provided in subsection 2, a person
36 ~~to whom the permit is issued is commits a serious~~
37 misdemeanor if the person is intoxicated as provided
38 under the conditions set out in section 321J.2,
39 subsection 1-, and the person does any of the
40 following:

41 a. Carries a dangerous weapon on or about the
42 person.

43 b. Carries a weapon within the person's immediate
44 access or reach while in a vehicle.

45 2. This section shall not apply to any of the
46 following:

47 a. A person who carries or possesses a dangerous
48 weapon while in the person's own dwelling, place of
49 business, or on land owned or lawfully possessed by the
50 person.

1 b. The transitory possession or use of a firearm
2 during an act of justified self-defense or justified
3 defense of another, provided that the possession lasts
4 no longer than is immediately necessary to resolve the
5 emergency.

6 Sec. _____. Section 724.5, Code 2014, is amended by
7 striking the section and inserting in lieu thereof the
8 following:

9 **724.5 Availability of permit not to be construed as**
10 **prohibition on unlicensed carrying of weapons.**

11 The availability of a professional or
12 nonprofessional permit to carry weapons under
13 this chapter shall not be construed to impose a general
14 prohibition on the unlicensed carrying, whether openly
15 or concealed, of a deadly weapon, including a loaded
16 firearm.>

17 2. Title page, line 3, after <atters> by inserting
18 <and including penalties>

19 3. By renumbering as necessary.

SHAW of Pocahontas