



[HF 654](#) – Firearms Omnibus (LSB1405HV.1)
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Fiscal Note Version – New

Description

[House File 654](#) relates to the carrying, transporting, and possessing of weapons by certain persons and in certain locations, and makes numerous changes to Iowa’s existing weapons laws. **Table 1**, at the end of this **Fiscal Note**, summarizes the correctional, minority, and fiscal impacts of the Bill.

Division I — Employer Policies Regarding Firearms and Ammunition — Department of Corrections and Other Detention Facilities — Parking Lots

Description

Division I creates an exception for the otherwise lawful carrying, transporting, and possessing of a firearm or ammunition on the grounds of certain facilities and institutions under the Department of Corrections if the firearm or ammunition remains out of sight and inside a locked vehicle.

Additionally, Division I prohibits an employer from prohibiting an employee from carrying, transporting, or possessing a firearm or ammunition on the real property of the employee’s place of employment if the firearm or ammunition remains out of sight and inside a locked vehicle, and if the carrying, transporting, or possessing of the firearm or ammunition is otherwise lawful. Division I provides that an employer, owner, or otherwise lawful possessor of said property is immune from any claims, cause of action, or lawsuit seeking damages as a result of any firearm brought onto the property by an employee. The employer may prohibit an employee from carrying, transporting, or possessing a firearm or ammunition in a vehicle owned or leased by the employer. Division I also provides definitions.

Division I takes effect upon enactment.

Background

In FY 2022, there were two convictions under Iowa Code section [719.7](#) for nonprisoners possessing weapons in a correctional facility. The possession of a weapon on correctional facility property is a Class C felony punishable by confinement for no more than 10 years and a fine of at least \$1,370 but not more than \$13,660.

It is not known how many weapons violations by employees occurred in FY 2022, as these would fall under Iowa Code section [724.4](#) related to carrying weapons, which does not specify where the event takes place.

Assumption

The number of past convictions that occurred under the exceptions established in the Bill is unknown.

Fiscal Impact

The fiscal impact of Division I cannot be determined because the number of impacted convictions is unknown.

Division II — Firearms on School Property

Description

Division II allows a school district or nonpublic school to authorize or direct a person to carry, transport, or possess a firearm, other weapon, or ammunition in a school vehicle.

Division II authorizes a person, who has in the person's possession a valid permit to carry weapons, to go armed with, carry, or transport a concealed pistol or revolver on school grounds if the concealed weapon remains in the vehicle and the vehicle remains on areas of the grounds that comprise its driveways and parking area. The vehicle is required to be locked when unattended.

Division II also authorizes a retired peace officer to go armed with, carry, or transport a firearm on school grounds if the peace officer retired in good standing, maintains certifications, and meets additional qualifications.

Division II takes effect upon enactment.

Background

Currently, administrative rules prohibit a person from carrying, transporting, or possessing a firearm, other weapon, or ammunition in a school vehicle.

In FY 2022, there were a total of three convictions for carrying a weapon on school grounds under Iowa Code section [724.4B](#). Under current law, a person who goes armed with, carries, or transports a firearm of any kind, concealed or not, on the grounds of a school commits a Class D felony. A Class D felony is punishable by confinement for no more than five years and a fine of at least \$1,025 but not more than \$10,245.

It is not known how many weapons violations occurred in areas exempt by this Division in FY 2022, as these would fall under Iowa Code section 724.4 related to carrying weapons, which does not specify where the event takes place.

Assumptions

- Insurance companies, in conjunction with an individual school or school district, will evaluate the need to update existing individual school or school district insurance policies related to the exception for being armed with, carrying, or transporting firearms on specific areas of school grounds.
- Providing an exception for carrying firearms on limited school grounds may increase liability and risk coverage for individual school or school district insurance policies.
- The number of past offenses that occurred under the exceptions established in the Bill is unknown.

Fiscal Impact

The fiscal impact of Division II cannot be determined. Although the State is not expected to incur a fiscal impact, local schools and school districts may be subject to an increase in insurance coverage costs after initial policy implementation. Any insurance rate increases for local schools and school districts are expected to be paid out of the School District Management Fund, which is funded by local property taxes.

Additionally, individual schools and school districts may experience an increase in operational costs to accommodate changes in safety protocol and associated policies, but this increase is expected to be minimal.

Division III — Dangerous Weapons in Vehicles at Regents Universities and Community College Campuses

Description

Division III prohibits the State Board of Regents and the board of directors of a community college from adopting or enforcing any policy or rule that prohibits the carrying, transportation, or possession of any dangerous weapon in a locked, personal vehicle on the grounds of such a college or university. Division III provides that the governing board is immune from any claims, cause of action, or lawsuit seeking damages as a result of any firearm brought onto the grounds of the university or college.

Background

There is no data available related to weapons violations on college or university grounds. Weapons violations would fall under Iowa Code section 724.4, related to carrying weapons, which does not specify where the event takes place.

Assumption

The number of past convictions that occurred under the exceptions established in the Bill is unknown.

Fiscal Impact

Division III is not estimated to have a fiscal impact.

Division IV — Insurance Coverage — Firearms on School Grounds

Description

Division IV requires the Commissioner of Insurance to adopt rules no later than December 31, 2023, to prohibit an authorized insurer from denying property or casualty insurance to a school based solely on the presence of a person who lawfully goes armed with, carries, or transports a firearm on the grounds of a school. This Division provides definitions.

Fiscal Impact

Division IV is not estimated to have a fiscal impact.

Division V — Guns in Vehicles on Public Highways

Description

Division V removes a requirement that a gun being transported on a public highway is required to be taken down or totally contained in a fastened case and with its barrels and attached magazines unloaded. The Division removes fines for individuals conveying an assembled unloaded or loaded gun.

Division V takes effect upon enactment.

Background

In FY 2022, there were 35 scheduled violations under Iowa Code section [483A.36](#) for a person conveying an assembled weapon on a public highway. A person conveying an assembled, unloaded gun is subject to a scheduled fine of \$35. A person conveying a loaded gun is subject to a scheduled fine of \$70. A further breakdown of data on persons charged with an unloaded or loaded firearm violation is unavailable.

Assumption

Data is unavailable for an additional breakdown of persons charged with the conveyance of an assembled, loaded, or unloaded gun on a public highway.

Fiscal Impact

The fiscal impact for Division V for the removal of the fine for individuals conveying unsecured firearms on public highways may result in a minimal reduction in General Fund revenue per year.

Division VI — Carrying Firearms on Snowmobiles and All-Terrain Vehicles

Description

Division VI permits a person to operate or ride a snowmobile or all-terrain vehicle with a loaded firearm on land that is not owned, possessed, or rented by the person.

Division VI takes effect upon enactment.

Background

In FY 2022, there were no convictions for firearms violations on snowmobiles or all-terrain vehicles under Iowa Code section [321G.13](#) or [321I.14](#).

Fiscal Impact

Division VI is not estimated to have a fiscal impact.

Division VII — Firearms on Properties Licensed to Conduct Gambling Games or Sports Wagering

Description

Division VII prohibits the Racing and Gaming Commission from adopting administrative rules that prohibit a licensee from authorizing a person to possess a firearm on the licensee’s property. An individual licensee may adopt the licensee’s own policy limiting the possession of firearms on the licensee’s property.

Fiscal Impact

Division VII is not estimated to have a fiscal impact.

Summary of HF 654 Correctional and Minority Impacts

Correctional Impact

The correctional impact of HF 654 cannot be determined. The Bill creates exceptions to existing offenses, and sufficient information is not available to estimate the number of convictions that will be affected by these exceptions. There were two convictions for nonprisoners possessing weapons in a correctional facility in FY 2022. There was a total of three convictions for carrying a weapon on school grounds in FY 2022. No convictions were issued under the other penalties modified in the Bill. Refer to the Legislative Services Agency (LSA) memo addressed to the General Assembly, [Cost Estimates Used for Correctional Impact Statements](#), dated January 20, 2023, for information related to the correctional system.

Minority Impact

The minority impact of HF 654 cannot be determined. Of the two individuals convicted of possessing weapons in a correctional facility, both were Caucasian. Of the three individuals convicted for carrying a weapon on school grounds, one was Caucasian, one was African American, and for one the race was unknown. Refer to the LSA memo addressed to the

General Assembly, [Minority Impact Statement](#), dated January 20, 2023, for information related to minorities in the criminal justice system.

Summary of HF 654 Fiscal Impact

Table 1 includes a summary of the fiscal impacts for each division of the Bill:

Table 1 — Estimated Summary of Fiscal Impacts for HF 654

Division	Fiscal Impact
I	The fiscal impact of Division I cannot be determined because the number of impacted violations is unknown.
II	The fiscal impact of Division II cannot be determined. Although the State is not expected to incur a fiscal impact, local schools and school districts may be subject to an increase in insurance coverage costs after initial policy implementation. Any insurance rate increases for local schools and school districts are expected to be paid out of the School District Management Fund, which is funded by local property taxes.
III	No fiscal impact.
IV	No fiscal impact.
V	Minimal fiscal impact resulting from reduced fine revenue to the General Fund.
VI	No fiscal impact.
VII	No fiscal impact.

Sources

Board of Regents
Criminal and Juvenile Justice Planning Division, Department of Human Rights
Department of Corrections
Iowa Association of School Boards

/s/ Jennifer Acton

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The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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