

MAR 1 1995

JUDICIARY

HOUSE FILE 234

BY DODERER

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the possession of offensive weapons, making
2 penalties applicable, and providing an effective date.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 234

1 Section 1. Section 724.1, subsection 1, Code 1995, is
2 amended to read as follows:

3 1. A machine gun, submachine gun, or assault rifle. A
4 machine gun, submachine gun, or assault rifle is a firearm
5 which shoots or is designed to shoot more than one shot,
6 without manual reloading, by a single function of the trigger.

7 Sec. 2. Section 724.1, Code 1995, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 1A. An assault weapon. For the purposes
10 of this chapter, "assault weapon" means any of the following:

11 a. A semiautomatic version of a machine gun, submachine
12 gun, or assault rifle.

13 b. A semiautomatic rifle with two or more of the following
14 characteristics:

15 (1) A fixed magazine with a capacity of over seven rounds.

16 (2) The ability to accept a detachable magazine.

17 (3) A folding or telescoping stock.

18 (4) A pistol grip protruding conspicuously from the weapon
19 or a stock shaped in such a manner as to serve as a pistol
20 grip.

21 (5) An overall length of less than thirty-two inches.

22 c. A semiautomatic pistol with two or more of the
23 following characteristics:

24 (1) A fixed magazine with a capacity of over seven rounds.

25 (2) The ability to accept a detachable magazine.

26 (3) A height of over five inches.

27 (4) An unloaded weight of twenty ounces or more.

28 d. A semiautomatic shotgun with two or more of the
29 following characteristics:

30 (1) A fixed magazine, including a revolving cylinder, with
31 a capacity of over seven rounds.

32 (2) The ability to accept a detachable magazine.

33 (3) A folding or telescoping stock.

34 (4) A pistol grip protruding conspicuously from the weapon
35 or a stock shaped in such a manner as to serve as a pistol

1 grip.

2 (5) An overall length of less than thirty-two inches.

3 Sec. 3. Section 724.1, Code 1995, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 6A. An assault magazine. For the
6 purposes of this chapter, "assault magazine" means a
7 detachable magazine of any configuration with a capacity of
8 over seven rounds.

9 Sec. 4. Section 724.1, Code 1995, is amended by adding the
10 following new subsections:

11 NEW SUBSECTION. 7A. Any bullet or projectile containing a
12 coating or jacket designed to enhance the ability of the
13 bullet or projectile to penetrate body armor or other
14 material, including glass, metal, wood, or synthetic
15 substances. For the purposes of this chapter, "body armor"
16 means a vest, helmet, or other device worn or carried by an
17 individual and designed to be of protection against gunshots.

18 NEW SUBSECTION. 7B. Any bullet or projectile containing a
19 coating or jacket designed to fragment or peel back upon
20 impact and enhance the cutting mechanism of the bullet or
21 projectile, or cause large diameter entrance or exit wounds.

22 Sec. 5. Section 724.1, subsection 9, Code 1995, is amended
23 by adding the following new paragraph and relettering as
24 necessary:

25 NEW PARAGRAPH. a. A firearm that places a round in the
26 chamber manually with a bolt, slide, pump, or lever action.

27 Sec. 6. Section 724.1, Code 1995, is amended by adding the
28 following new subsection:

29 NEW SUBSECTION. 10. Subsections 1A and 6A do not apply to
30 the possession of any assault weapon or assault magazine that
31 was lawfully possessed prior to the effective date of this
32 Act.

33 However, an assault weapon or assault magazine may be
34 transferred to the state. Assault weapons or magazines
35 possessed lawfully shall be registered in accordance with

1 rules adopted by the department of public safety. The
2 department shall adopt rules to be effective no later than
3 ninety days after the effective date of the Act.

4 Sec. 7. EFFECTIVE DATE. This Act, being deemed of
5 immediate importance, takes effect upon enactment.

6 EXPLANATION

7 This bill provides as follows:

8 1. Subsection one of section 724.1 is amended to include
9 submachine guns and assault rifles in the definition of
10 offensive weapons which may only be possessed by certain
11 persons, such as law enforcement officers.

12 2. Bullets or projectiles designed to penetrate body armor
13 or other materials by use of a special coating or jacket or
14 which are designed to fragment or peel back and increase wound
15 size or cutting power are added to the definition of offensive
16 weapons.

17 3. Assault weapons are added to the definition of
18 offensive weapons. An assault weapon is defined as any of the
19 following:

20 a. A semiautomatic version of a machine gun, submachine
21 gun, or assault rifle.

22 b. A semiautomatic rifle with two or more of the following
23 characteristics: a fixed magazine with a capacity of over
24 seven rounds, the ability to accept a detachable magazine, a
25 folding or telescoping stock, a pistol grip protruding
26 conspicuously from the weapon or a stock shaped in such a
27 manner as to serve as a pistol grip, or an overall length of
28 less than 32 inches.

29 c. A semiautomatic pistol with two or more of the
30 following characteristics: a fixed magazine with a capacity
31 of over seven rounds, the ability to accept a detachable
32 magazine, a height of over five inches, or an unloaded weight
33 of 20 ounces or more.

34 d. A semiautomatic shotgun with two or more of the
35 following characteristics: a fixed magazine, including a

1 revolving cylinder, with a capacity of over seven rounds; the
2 ability to accept a detachable magazine; a folding or
3 telescoping stock; a pistol grip protruding conspicuously from
4 the weapon or a stock shaped in such a manner as to serve as a
5 pistol grip; or an overall length of less than 32 inches.

6 4. Assault magazines are added to the definition of
7 offensive weapons. An assault magazine is defined as a
8 magazine with a capacity of over seven rounds.

9 5. Firearms that place a round of ammunition in the
10 chamber for firing by means of the manual operation of a bolt,
11 slide, pump, or lever action are excluded from the definition
12 of offensive weapon.

13 6. Weapons which are assault weapons and magazines which
14 are assault magazines, but which are lawfully owned prior to
15 the effective date of the bill, are not included in the
16 definition of offensive weapons. These weapons shall not be
17 transferred, except to the state and must be registered in
18 accordance with rules adopted by the department of public
19 safety.

20 The bill takes effect upon enactment.

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