

3-6-97 Judicious

SENATE FILE 334
BY LIND

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act regulating and making penalties applicable to certain
2 pistols as dangerous weapons.

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

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S.F. 334

1 Section 1. Section 702.7, Code 1997, is amended to read as
2 follows:

3 702.7 DANGEROUS WEAPON.

4 A "dangerous weapon" is any instrument or device designed
5 primarily for use in inflicting death or injury upon a human
6 being or animal, and which is capable of inflicting death upon
7 a human being when used in the manner for which it was
8 designed. Additionally, any instrument or device of any sort
9 whatsoever which is actually used in such a manner as to
10 indicate that the defendant intends to inflict death or
11 serious injury upon the other, and which, when so used, is
12 capable of inflicting death upon a human being, is a dangerous
13 weapon. Dangerous weapons include, but are not limited to,
14 any offensive weapon, pistol, revolver, or other firearm, a
15 device designed to shoot a pellet or other metal projectile
16 through the use of compressed gas or air, or a dagger, razor,
17 stiletto, switchblade knife, or knife having a blade exceeding
18 five inches in length.

19 EXPLANATION

20 This bill adds a device designed to shoot a metal pellet or
21 other metal projectile through the use of compressed gas or
22 compressed air to the definition of dangerous weapon. The
23 inclusion in the definition of dangerous weapon makes a
24 student in possession of a device, commonly known as a pellet
25 or BB gun, subject to automatic suspension or expulsion from
26 school under section 280.17B. Also, crimes committed with
27 dangerous weapons are typically subject to more severe
28 penalties than crimes committed without dangerous weapons.

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