

3/20/00 Referred back to Judiciary

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SENATE FILE **2358**
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 2039)

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

A BILL FOR

1 An Act relating to the carrying and transportation of unloaded
2 antique firearms.

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

SF 2358

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1 Section 1. Section 483A.36, Code 1999, is amended to read
2 as follows:

3 483A.36 MANNER OF CONVEYANCE.

4 1. No A person, except as permitted by law, shall not have
5 or carry a gun in or on a vehicle on a public highway, unless
6 the gun is taken down or totally contained in a securely
7 fastened case, and its barrels and magazines are unloaded.

8 2. This section shall not apply to antique firearms, as
9 defined in section 724.25, where a person is carrying or
10 transporting an antique firearm to an exhibit, meeting,
11 lecture, historical reenactment, or other similar function,
12 provided that the antique firearm is unloaded.

13 Sec. 2. Section 724.4, subsection 4, Code 1999, is amended
14 by adding the following new paragraph:

15 NEW PARAGRAPH. 1. A person who is carrying or
16 transporting an unloaded antique firearm to an exhibit,
17 meeting, lecture, historical reenactment, or other similar
18 function.

19 Sec. 3. Section 724.22, subsection 7, Code 1999, is
20 amended to read as follows:

21 7. ACCESS TO LOADED FIREARMS BY CHILDREN RESTRICTED --
22 PENALTY.

23 a. It shall be unlawful for any person to store or leave a
24 loaded firearm which is not secured by a trigger lock
25 mechanism, placed in a securely locked box or container, or
26 placed in some other location which a reasonable person would
27 believe to be secure from a minor under the age of fourteen
28 years, if such person knows or has reason to believe that a
29 minor under the age of fourteen years is likely to gain access
30 to the firearm without the lawful permission of the minor's
31 parent, guardian, or person having charge of the minor, the
32 minor lawfully gains access to the firearm without the consent
33 of the minor's parent, guardian, or person having charge of
34 the minor, and the minor exhibits the firearm in a public
35 place in an unlawful manner, or uses the firearm unlawfully to

1 cause injury or death to a person.

2 b. This subsection does not apply if in the following
3 cases:

4 (1) If the minor obtains the firearm as a result of an
5 unlawful entry by any person.

6 (2) Where the firearm is an unloaded antique firearm that
7 is being carried or transported to an exhibit, meeting,
8 lecture, historical reenactment, or other similar function.

9 c. A violation of this subsection is punishable as a
10 serious misdemeanor.

11 EXPLANATION

12 This bill provides that the transportation of unloaded
13 antique weapons to an exhibit, meeting, lecture, historical
14 reenactment, or other similar function is not a violation of
15 Code sections prohibiting or placing limitations or
16 requirements on the carrying, transporting, and storage of
17 firearms. The bill creates exemptions for unloaded antique
18 firearms in Code section 483A.36 relating to carrying a
19 firearm on a public highway; Code section 724.4 relating to
20 carrying weapons; and Code section 724.22, subsection 7,
21 relating to the use of trigger locks on firearms.

22 "Antique weapon" is defined in Code section 724.25 to mean
23 "any firearm (including any firearm with a matchlock,
24 flintlock, percussion cap, or similar type of ignition system)
25 manufactured in or before 1898. An antique firearm also means
26 a replica of a firearm so described if the replica is not
27 designed or redesigned for using rimfire or conventional
28 centerfire fixed ammunition or if the replica uses rimfire or
29 conventional centerfire fixed ammunition which is no longer
30 manufactured in the United States and which is not readily
31 available in the ordinary channels of commercial trade."

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