

JUDICIARY

FILED FEB 20 2002

SENATE FILE 2257
BY REDWINE

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

A BILL FOR

1 An Act allowing qualified off-duty and qualified retired peace
2 officers to carry weapons.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2257 JUDICIARY

1 Section 1. Section 724.4, subsection 4, Code 2001, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. bb. A qualified off-duty peace officer or
4 a qualified retired peace officer.

5 For the purposes of this paragraph "bb", the following
6 definitions shall apply:

7 (1) "Qualified off-duty peace officer" means a peace
8 officer who meets all of the following requirements:

9 (a) Is not responsible for or engaged in assigned duties
10 related to the officer's regular course of employment as a
11 peace officer.

12 (b) Is required to carry weapons, as defined in
13 subsections 1 through 3, during the officer's regular course
14 of employment as a peace officer.

15 (c) Has successfully completed an approved firearm
16 training program under section 724.9.

17 (d) Is not the subject of any disciplinary action.

18 (2) "Qualified retired peace officer" means a peace
19 officer who meets all of the following requirements:

20 (a) Is retired in good standing from employment as a peace
21 officer, other than for reasons of mental instability.

22 (b) Prior to such retirement, was authorized by law to
23 engage in or supervise the prevention, detection,
24 investigation, or prosecution of, or the incarceration of, any
25 person for any violation of law, and had statutory powers of
26 arrest.

27 (c) Is currently receiving a retirement allowance pursuant
28 to chapter 97A, 97B, or 411.

29 (d) During the most recent twelve-month period has
30 successfully completed an approved firearm training program
31 under section 724.9.

32 (e) Is not prohibited by federal law from carrying a
33 firearm.

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EXPLANATION

35 This bill allows qualified off-duty and qualified retired

1 peace officers to carry weapons.

2 The bill defines a "qualified off-duty peace officer" to
3 mean a peace officer who is not responsible for or engaged in
4 assigned duties related to the officer's regular course of
5 employment as a peace officer, is required to carry weapons
6 during the officer's regular course of employment as a peace
7 officer, has successfully completed an approved firearm
8 training course under Code section 724.9, and is not the
9 subject of any disciplinary action.

10 The bill defines "qualified retired peace officer" to mean
11 a peace officer who retired in good standing from service as a
12 peace officer, other than for reasons of mental instability,
13 who before such retirement was authorized by law to engage in
14 or supervise the prevention, detection, investigation, or
15 prosecution of, or the incarceration of, any person for any
16 violation of law, and had statutory powers of arrest; is
17 currently receiving a retirement allowance pursuant to Code
18 chapter 97A, 97B, or 411; who during the most recent 12-month
19 period has successfully completed an approved firearm training
20 program under Code section 724.9; and who is not prohibited by
21 federal law from carrying a firearm.

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