

FEB 26 2003
PUBLIC SAFETY

HOUSE FILE 326
BY McCARTHY

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

A BILL FOR

1 An Act creating a new criminal offense related to carrying a
2 knife or BB or pellet gun on school grounds and providing a
3 penalty.

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

HF 326

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1 Section 1. Section 724.4B, Code 2003, is amended to read
2 as follows:

3 724.4B CARRYING WEAPONS ON SCHOOL GROUNDS -- PENALTY --
4 EXCEPTIONS.

5 1. a. A person who goes armed with, carries, or
6 transports a firearm of any kind, whether concealed or not, on
7 the grounds of a school commits a class "D" felony.

8 b. A person who goes armed with, carries, or transports a
9 knife, regardless of length, or a BB or pellet gun, whether
10 the weapon is concealed or not, on the grounds of a school
11 commits an aggravated misdemeanor.

12 c. For the purposes of this section, "school" means a
13 public or nonpublic school as defined in section 280.2.

14 2. Subsection 1 does not apply to the following:

15 a. A person listed under section 724.4, subsection 4,
16 paragraphs "b" through "f" or "j".

17 b. A person who has been specifically authorized by the
18 school to go armed, carry, or transport a firearm on the
19 school grounds, including for purposes of conducting an
20 instructional program regarding firearms.

21 EXPLANATION

22 This bill creates a new criminal offense related to
23 carrying a knife or BB or pellet gun on school grounds.

24 The bill provides that a person who goes armed with,
25 carries, or transports a knife, regardless of length, or a BB
26 or pellet gun, whether the weapon is concealed or not, on
27 public or nonpublic school grounds commits an aggravated
28 misdemeanor. An aggravated misdemeanor is punishable by
29 confinement for no more than two years and a fine of at least
30 \$500 but not more than \$5,000. Exemptions are provided for
31 peace and corrections officers, military personnel, persons
32 transporting firearms in closed and locked containers or
33 inside the cargo or luggage compartments of motor vehicles,
34 law enforcement personnel from other states, and persons
35 specifically authorized by the school to have a firearm on the

1 grounds of the school, including for instructional purposes.

2 The term "public school" means any school directly
3 supported in whole or in part by taxation. The term
4 "nonpublic school" means any other school which is accredited
5 or which uses licensed practitioners as instructors.

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