

FILED JAN 26 2006

JUDICIARY

SENATE FILE 2090

BY MCKIBBEN, IVERSON, LAMBERTI,
JOHNSON, KETTERING, ZIEMAN,
BEHN, and HAHN

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the issuance of weapons permits by a county
2 sheriff or the commissioner of public safety.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22

JUDICIARY
SF 2090

1 Section 1. Section 724.6, subsection 1, Code 2005, is
2 amended to read as follows:

3 1. A person ~~may~~ shall be issued a permit to carry weapons
4 when the person's employment in a private investigation
5 business or private security business licensed under chapter
6 80A, or a person's employment as a peace officer, correctional
7 officer, security guard, bank messenger or other person
8 transporting property of a value requiring security, or in
9 police work, reasonably justifies that person going armed.
10 The permit shall be on a form prescribed and published by the
11 commissioner of public safety, shall identify the holder, and
12 shall state the nature of the employment requiring the holder
13 to go armed. A permit so issued, other than to a peace
14 officer, shall authorize the person to whom it is issued to go
15 armed anywhere in the state, only while engaged in the
16 employment, and while going to and from the place of the
17 employment. A permit issued to a certified peace officer
18 shall authorize that peace officer to go armed anywhere in the
19 state at all times. Permits shall expire twelve months after
20 the date when issued except that permits issued to peace
21 officers and correctional officers are valid through the
22 officer's period of employment unless otherwise canceled.
23 When the employment is terminated, the holder of the permit
24 shall surrender it to the issuing officer for cancellation.

25 Sec. 2. Section 724.7, Code 2005, is amended to read as
26 follows:

27 724.7 NONPROFESSIONAL PERMIT TO CARRY WEAPONS.

28 Any person who can reasonably justify going armed ~~may~~ shall
29 be issued a nonprofessional permit to carry weapons. Such
30 permits shall be on a form prescribed and published by the
31 commissioner of public safety, which shall be readily
32 distinguishable from the professional permit, and shall
33 identify the holder thereof, and state the reason for the
34 issuance of the permit, and the limits of the authority
35 granted by such permit. All permits so issued shall be for a

1 definite period as established by the issuing officer, but in
2 no event shall exceed a period of twelve months.

3 Sec. 3. Section 724.11, Code 2005, is amended to read as
4 follows:

5 724.11 ISSUANCE OF PERMIT TO CARRY WEAPONS.

6 Applications for permits to carry weapons shall be made to
7 the sheriff of the county in which the applicant resides.
8 Applications from persons who are nonresidents of the state,
9 or whose need to go armed arises out of employment by the
10 state, shall be made to the commissioner of public safety. In
11 either case, ~~the issuance of the permit shall be by and at the~~
12 ~~discretion of the sheriff or commissioner, who shall, before~~
13 issuing issue the permit, determine that if the sheriff or
14 commissioner determines that the requirements of sections
15 724.6 to 724.10 have been satisfied. However, the training
16 program requirements in section 724.9 may be waived for
17 renewal permits. The issuing officer shall collect a fee of
18 ten dollars, except from a duly appointed peace officer or
19 correctional officer, for each permit issued. Renewal permits
20 or duplicate permits shall be issued for a fee of five
21 dollars. The issuing officer shall notify the commissioner of
22 public safety of the issuance of any permit at least monthly
23 and forward to the commissioner an amount equal to two dollars
24 for each permit issued and one dollar for each renewal or
25 duplicate permit issued. All such fees received by the
26 commissioner shall be paid to the treasurer of state and
27 deposited in the operating account of the department of public
28 safety to offset the cost of administering this chapter. Any
29 unspent balance as of June 30 of each year shall revert to the
30 general fund as provided by section 8.33.

31 EXPLANATION

32 This bill relates to the issuance of weapons permits by a
33 county sheriff or the commissioner of public safety.

34 Current law provides that a county sheriff in the county in
35 which an applicant for a weapons permit resides, or the

1 commissioner of public safety, if the applicant is a
2 nonresident of the state, has discretion in determining
3 whether or not to issue a concealed weapons permit to an
4 applicant after the sheriff or the commissioner determines the
5 applicant meets certain requirements. The bill eliminates
6 that discretion and provides that the county sheriff or the
7 commissioner of public safety shall issue a permit to carry
8 weapons upon determining that the requirements have been
9 satisfied.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35