

House File 76

HOUSE FILE _____
BY HUNTER, WESSEL=KROESCHELL,
LENSING, and D. TAYLOR

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

A BILL FOR

1 An Act relating to the sale or transfer of firearms between
2 unlicensed persons at a gun show held on state property and
3 providing penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1715HH 82
6 rh/gg/14

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1 1 Section 1. NEW SECTION. 724.31 TRANSFER OF FIREARMS
1 2 BETWEEN UNLICENSED PERSONS AT A GUN SHOW.
1 3 1. a. The sale, lease, or other transfer of firearms
1 4 between two or more unlicensed persons at a gun show held on
1 5 state property shall be conducted through a federally licensed
1 6 firearm dealer on the premises of the gun show and shall
1 7 comply with all applicable federal and state laws. The dealer
1 8 may charge a transfer fee not to exceed ten dollars.
1 9 b. This subsection does not apply to the sale, lease, or
1 10 other transfer of firearms where the firearm acquired is an
1 11 antique firearm, a collector's item, a device not designed or
1 12 redesigned for use as a firearm, a device designed solely for
1 13 use as a signaling, pyrotechnic, line-throwing, safety, or
1 14 similar device, or a firearm unserviceable by reason of being
1 15 unable to discharge a shot by means of an explosive and
1 16 incapable of being readily restored to a firing condition.
1 17 2. An unlicensed vendor at a gun show held on state
1 18 property who sells, leases, or transfers a firearm to an
1 19 unlicensed person, or an unlicensed person who acquires a
1 20 firearm from an unlicensed vendor without the sale, lease, or
1 21 transfer being conducted by a federally licensed firearm
1 22 dealer, commits an aggravated misdemeanor.
1 23 3. An unlicensed vendor at a gun show held on state
1 24 property who sells, leases, or transfers a firearm to an
1 25 unlicensed person who the transferor knows or has reason to
1 26 know is prohibited from possessing firearms under federal or
1 27 state law commits a class "D" felony.
1 28 4. As used in this section, the term "gun show" means the
1 29 entire premises of an event or function, including but not
1 30 limited to parking areas for the event or function that is
1 31 sponsored to foster, in whole or in part, the sale, lease, or
1 32 other transfer at which at least one of the following applies:
1 33 a. Twenty-five or more firearms are offered or exhibited
1 34 for sale or transfer.
1 35 b. Not less than three gun show vendors exhibit, sell,
2 1 offer for sale, transfer, or exchange firearms.

EXPLANATION

2 2 This bill creates new Code section 724.31, relating to the
2 3 sale or transfer of firearms between unlicensed persons at a
2 4 gun show held on state property and providing penalties.
2 5 The bill provides that the sale, lease, or other transfer
2 6 of firearms between two or more persons at a gun show held on
2 7 state property shall be conducted through a federally licensed
2 8 firearm dealer on the premises of the gun show and shall
2 9 comply with all applicable federal and state laws. The bill
2 10 excludes transfers involving antique firearms, collector's
2 11 items, a device not designed or redesigned for use as a
2 12 firearm, a device designed solely for use as a signaling,
2 13 pyrotechnic, line-throwing, safety, or similar device, or a
2 14 firearm that is unserviceable. The bill provides that a
2 15 firearm dealer may charge a transfer fee not to exceed \$10.
2 16 The bill further provides that an unlicensed vendor at a
2 17 gun show held on state property who sells, leases, or
2 18

2 19 transfers a firearm to an unlicensed person, or an unlicensed
2 20 person who acquires a firearm from an unlicensed vendor
2 21 without going through a federally licensed firearm dealer,
2 22 commits an aggravated misdemeanor. An aggravated misdemeanor
2 23 is punishable by confinement for no more than two years and a
2 24 fine of at least \$625 but not more than \$6,250. An unlicensed
2 25 vendor at a gun show held on state property who sells, leases,
2 26 or transfers a firearm to an unlicensed person who the
2 27 transferor knows or has reason to know is prohibited from
2 28 possessing firearms commits a class "D" felony. A class "D"
2 29 felony is punishable by confinement for no more than five
2 30 years and a fine of at least \$750 but not more than \$7,500.
2 31 The bill further provides a definition of "gun show" to
2 32 mean the entire premises of an event or function, including
2 33 but not limited to parking areas for the event or function
2 34 that is sponsored to foster, in whole or in part, the sale,
2 35 lease, or other transfer at which either 25 or more firearms
3 1 are offered or exhibited for sale or transfer, or not less
3 2 than three gun show vendors exhibit, sell, offer for sale,
3 3 transfer, or exchange firearms.
3 4 LSB 1715HH 82
3 5 rh:rj/gg/14