

Senate File 256 - Introduced

SENATE FILE 256
BY SODDERS and BOLKCOM

A BILL FOR

1 An Act relating to the carrying of weapons including
2 eligibility and training requirements and private
3 establishment regulations.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 724.4D Prohibiting weapons in
2 private establishments — notice.

3 1. For purposes of this section, unless the context
4 otherwise requires:

5 a. "*Conspicuous*" means lettering in black arial typeface
6 at least one and one-half inches in height against a
7 bright contrasting background that is at least one hundred
8 eighty-seven square inches in area.

9 b. "*Private establishment*" means a building, structure, or
10 portion thereof that is owned, leased, controlled, or operated
11 by a nongovernmental entity for a nongovernmental purpose.

12 c. "*Prominently*" means readily visible and within four feet
13 laterally of the entrance with the bottom of the sign at a
14 height of four to six feet above the floor or ground.

15 2. An owner or operator of a private establishment may
16 prohibit any person, including a person with a permit to
17 carry weapons, from possessing or carrying weapons in the
18 private establishment. Notice of the prohibition shall be
19 prominently posted on conspicuous signs at every entrance to
20 the establishment.

21 Sec. 2. Section 724.8, subsection 3, Code 2013, is amended
22 to read as follows:

23 3. Probable cause exists to believe, based upon documented
24 specific actions of the person, where at least one of the
25 actions occurred within ~~two~~ four years immediately preceding
26 the date of the permit application, that the person is likely
27 to use a weapon unlawfully or in such other manner as would
28 endanger the person's self or others.

29 Sec. 3. Section 724.9, Code 2013, is amended by adding the
30 following new subsections:

31 NEW SUBSECTION. 2A. In addition to the firearm safety
32 requirement in subsection 1, an applicant for a new or renewal
33 permit to carry weapons shall qualify on a firing range within
34 twelve months prior to the application under the supervision of
35 an instructor certified by the national rifle association or

1 the department of public safety or another state's department
2 of public safety, state police department, or similar
3 certifying body.

4 NEW SUBSECTION. 2B. Firearm training courses offered
5 through the internet do not satisfy the training requirements
6 set forth in this section.

7 Sec. 4. Section 724.11, subsection 1, Code 2013, is amended
8 to read as follows:

9 1. Applications for permits to carry weapons shall be made
10 to the sheriff of the county in which the applicant resides.
11 Applications for professional permits to carry weapons for
12 persons who are nonresidents of the state, or whose need to
13 go armed arises out of employment by the state, shall be made
14 to the commissioner of public safety. In either case, the
15 sheriff or commissioner, before issuing the permit, shall
16 determine that the requirements of sections 724.6 to 724.10
17 have been satisfied. However, for renewal of a permit the
18 training program requirements in section 724.9, ~~subsection 1,~~
19 ~~shall apply or the renewal applicant may choose to qualify on a~~
20 ~~firing range under the supervision of an instructor certified~~
21 ~~by the national rifle association or the department of public~~
22 ~~safety or another state's department of public safety, state~~
23 ~~police department, or similar certifying body.~~ Such training
24 or qualification must occur within the twelve-month period
25 prior to the expiration of the applicant's current permit.

26 EXPLANATION

27 This bill relates to the carrying of weapons including
28 eligibility and training requirements and private establishment
29 regulations.

30 PRIVATE ESTABLISHMENT WEAPONS PROHIBITION — NOTICE.

31 The bill provides that an owner or operator of a private
32 establishment may prohibit any person, including a person with
33 a permit to carry weapons, from possessing or carrying weapons
34 in the private establishment. Notice of the prohibition
35 shall be prominently posted on conspicuous signs at every

1 entrance to the establishment. For purposes of the bill
2 "private establishment" means a building, structure, or
3 portion thereof that is owned, leased, controlled, or operated
4 by a nongovernmental entity for a nongovernmental purpose.
5 "Prominently" is defined as readily visible and within four
6 feet laterally of the entrance with the bottom of the sign at
7 a height of four to six feet above the floor or ground, and
8 "conspicuous" means lettering in black arial typeface at least
9 one and one-half inches in height against a bright contrasting
10 background that is at least 187 square inches in area.

11 PERMIT TO CARRY — INELIGIBILITY BASED ON PAST ACTS.

12 Under current law, an issuing officer (the commissioner of
13 public safety or a sheriff) is prohibited from issuing a
14 professional or nonprofessional permit to carry weapons if a
15 person is ineligible for certain reasons, including for certain
16 documented specific actions of the person, where at least one
17 of the actions occurred within two years immediately preceding
18 the date of the permit application, and probable cause exists
19 to believe that the person is likely to use a weapon unlawfully
20 or in such other manner as would endanger the person's self
21 or others. The bill amends this look-back provision from two
22 years to four years.

23 PERMIT TO CARRY — TRAINING REQUIREMENTS. The bill amends
24 current firearm training requirements, which an applicant for a
25 new or renewal permit to carry weapons must satisfy in order
26 to be issued a permit to carry weapons under Code chapter 724,
27 to include the requirement that such applicant qualify on a
28 firing range within 12 months prior to the application under
29 the supervision of an instructor certified by the national
30 rifle association or the department of public safety or another
31 state's department of public safety, state police department,
32 or similar certifying body. The bill specifies that internet
33 firearm training courses do not satisfy the firearm training
34 requirements in Code section 724.9.