

House File 434 - Introduced

HOUSE FILE 434

BY WOLFE

A BILL FOR

1 An Act relating to the possession, receipt, transportation,
2 or dominion or control of firearms, offensive weapons, and
3 ammunition by certain persons.

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

1 Section 1. Section 724.25, subsection 1, Code 2015, is
2 amended to read as follows:

3 1. As used in section 724.26, the word "felony" means
4 any offense punishable in the jurisdiction where it occurred
5 by imprisonment for a term exceeding one year, but does not
6 include any offense, other than an offense involving a firearm
7 or explosive, classified as a misdemeanor under the laws of the
8 state and punishable by a term of imprisonment of two years or
9 less. "Felony" does not include a deferred judgment that has
10 been expunged pursuant to section 907.3 or the applicable law
11 of the state in which the deferred judgment was entered, or an
12 adjudication of a delinquent act that has been sealed under
13 section 232.150 or the applicable law of the state in which the
14 adjudication of delinquency was entered.

15 EXPLANATION

16 The inclusion of this explanation does not constitute agreement with
17 the explanation's substance by the members of the general assembly.

18 This bill relates to the possession, receipt,
19 transportation, or dominion and control of firearms, offensive
20 weapons, and ammunition by certain persons.

21 Current law in Code section 724.26 prohibits a felon from
22 possessing, receiving, transporting, or controlling a firearm,
23 offensive weapon, and ammunition. The bill provides that a
24 person, who has had a felony judgment deferred that has been
25 expunged pursuant to Code section 907.3 or under similar
26 laws of another state or an adjudication of a delinquent act
27 sealed in juvenile court under Code section 232.150 or under
28 similar laws of another state, is not a felon for purposes of
29 determining whether a violation of Code section 724.26 has
30 occurred.

31 A felon who violates Code section 724.26 commits a class "D"
32 felony.