

Senate File 218 - Introduced

SENATE FILE 218
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 87)

A BILL FOR

1 An Act relating to carrying weapons on school grounds by a
2 certified peace officer or a reserve peace officer.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 724.2A, Code 2017, is amended to read as
2 follows:

3 **724.2A Peace officer ~~defined~~ and reserve peace officer —**
4 **defined.**

5 As used in sections 724.4, 724.6, and 724.11 regarding
6 ~~obtaining or renewing a permit for the carrying of weapons,~~
7 "peace officer" means a certified "peace officer" and includes a
8 reserve peace officer as defined in section 80D.1A.

9 Sec. 2. Section 724.4, subsection 4, paragraph b, Code 2017,
10 is amended to read as follows:

11 *b.* A peace officer, when the officer's duties require the
12 person to carry such weapons, or as provided in section 724.6.

13 Sec. 3. Section 724.6, subsection 1, Code 2017, is amended
14 to read as follows:

15 1. *a.* A person may be issued a permit to carry weapons when
16 the person's employment in a private investigation business
17 or private security business licensed under chapter 80A, or a
18 person's employment as a peace officer, correctional officer,
19 security guard, bank messenger or other person transporting
20 property of a value requiring security, or in police work,
21 reasonably justifies that person going armed.

22 *b.* The permit shall be on a form prescribed and published
23 by the commissioner of public safety, shall identify the
24 holder, and shall state the nature of the employment requiring
25 the holder to go armed. A permit so issued, other than to
26 a peace officer, shall authorize the person to whom it is
27 issued to go armed anywhere in the state, only while engaged
28 in the employment, and while going to and from the place of the
29 employment.

30 *c.* A permit issued to a ~~certified~~ peace officer shall
31 authorize that peace officer to go armed anywhere in the state
32 at all times, including on the grounds of a school.

33 *d.* Permits shall expire twelve months after the date
34 when issued except that permits issued to peace officers and
35 correctional officers are valid through the officer's period of

1 employment unless otherwise canceled. When the employment is
2 terminated, the holder of the permit shall surrender it to the
3 issuing officer for cancellation.

4

EXPLANATION

5

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

7

This bill relates to carrying weapons on school grounds by a
8 certified peace officer or a reserve peace officer.

9

The bill provides that a certified peace officer or reserve
10 peace officer does not commit the criminal violation of
11 unlawfully carrying weapons on school grounds in violation of
12 Code section 724.4B, if the officer possesses such a weapon and
13 possesses a professional permit to carry weapons, even if the
14 officer's duties do not require the officer to carry such a
15 weapon.

16

Current law specifies that a peace officer, while acting
17 within the official duties of the officer, may possess a weapon
18 on school grounds.

19

A person who commits the offense of unlawfully carrying
20 weapons on school grounds commits a class "D" felony. A class
21 "D" felony is punishable by confinement for no more than five
22 years and a fine of at least \$750 but not more than \$7,500.