

**House File 220 - Introduced**

HOUSE FILE 220  
BY ABDUL-SAMAD

**A BILL FOR**

1 An Act prohibiting the sale or transfer of semiautomatic  
2 assault weapons to unauthorized persons, providing  
3 penalties, and including effective date and applicability  
4 provisions.

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

1 Section 1. NEW SECTION. 724.1D Semiautomatic assault weapon  
2 defined.

3 1. "*Semiautomatic assault weapon*" means any of the  
4 following:

5 a. A semiautomatic rifle that has the capability to accept  
6 a detachable ammunition magazine and that has any of the  
7 following:

8 (1) A pistol grip or thumbhole stock.

9 (2) A forward grip or any feature capable of functioning as  
10 a protruding grip that can be held by the nontrigger hand.

11 (3) A shroud attached to the barrel, or that partially or  
12 completely encircles the barrel, allowing the user to hold the  
13 firearm with the nontrigger hand without being burned, but  
14 excluding a slide that encloses the barrel.

15 (4) A folding, telescoping, or detachable stock.

16 (5) A threaded barrel.

17 (6) A grenade launcher or rocket launcher.

18 b. A semiautomatic rifle that has a fixed magazine with the  
19 capability to accept more than ten rounds of ammunition, except  
20 for an attached tubular device designed to accept, and capable  
21 of operating only with, .22 caliber rimfire ammunition.

22 c. Any part, combination of parts, component, device,  
23 attachment, or accessory that is designed or functions to  
24 accelerate the rate of fire of a semiautomatic rifle but not  
25 convert the semiautomatic rifle into a machine gun.

26 d. A semiautomatic pistol that has the capability to accept  
27 a detachable ammunition magazine and that has any of the  
28 following:

29 (1) A second pistol grip or any feature capable of  
30 functioning as a protruding grip that can be held by the  
31 nontrigger hand.

32 (2) A shroud attached to the barrel, or that partially or  
33 completely encircles the barrel, allowing the user to hold the  
34 firearm with the nontrigger hand without being burned, but  
35 excluding a slide that encloses the barrel.

- 1 (3) A threaded barrel.
- 2 (4) The capability to accept a detachable ammunition  
3 magazine at any location outside the pistol grip.
- 4 e. A semiautomatic pistol that has a fixed magazine with the  
5 capacity to accept more than ten rounds of ammunition.
- 6 f. A semiautomatic shotgun that has any of the following:
- 7 (1) The capability to accept a detachable ammunition  
8 magazine.
- 9 (2) A pistol grip.
- 10 (3) A folding, telescoping, or detachable stock.
- 11 (4) A fixed ammunition magazine that has the capability to  
12 accept more than five rounds of ammunition.
- 13 (5) A forward grip.
- 14 (6) A grenade launcher or rocket launcher.
- 15 g. A shotgun with a revolving cylinder.
- 16 h. A conversion kit, part, or combination of parts, from  
17 which a semiautomatic assault weapon can be assembled if the  
18 parts are in the possession of or under the control of the same  
19 person.
- 20 i. A frame or receiver that is identical to, or based  
21 substantially on, the frame or receiver of a semiautomatic  
22 assault weapon described in paragraph "a", "b", "d", "e", or  
23 "f".
- 24 2. "*Semiautomatic assault weapon*" does not include any of  
25 the following:
- 26 a. A firearm that is manually operated by a bolt, pump,  
27 lever, or slide action.
- 28 b. A firearm that has been rendered permanently inoperable.
- 29 Sec. 2. Section 724.22, subsections 1 and 2, Code 2019, are  
30 amended to read as follows:
- 31 1. Except as provided in subsection 3 and section 724.22A,  
32 subsection 2, a person who sells, loans, gives, or makes  
33 available a rifle or shotgun or ammunition for a rifle or  
34 shotgun to a minor commits a serious misdemeanor for a first  
35 offense and a class "D" felony for second and subsequent

1 offenses.

2 2. Except as provided in subsections 4, and 5, and section  
3 724.22A, subsection 2, a person who sells, loans, gives, or  
4 makes available a pistol or revolver or ammunition for a pistol  
5 or revolver to a person below the age of twenty-one commits a  
6 serious misdemeanor for a first offense and a class "D" felony  
7 for second and subsequent offenses.

8 Sec. 3. NEW SECTION. 724.22A Sale or transfer of  
9 semiautomatic assault weapons — penalties.

10 1. A person who sells or transfers a semiautomatic assault  
11 weapon to an unauthorized person commits a class "D" felony  
12 for a first offense and a class "C" felony for a second or  
13 subsequent offense.

14 2. This section does not apply to the sale or transfer of a  
15 semiautomatic assault weapon to a minor by the minor's parent  
16 or guardian.

17 3. For purposes of this section, an "*unauthorized person*" is  
18 a person who is subject to any of the following:

19 a. Is less than eighteen years of age, except as otherwise  
20 provided in subsection 2.

21 b. Probable cause exists to believe, based upon documented  
22 specific actions of the person, where at least one of the  
23 actions occurred within two years immediately preceding the  
24 date of the sale or transfer, that the person is any of the  
25 following:

26 (1) Likely to use the semiautomatic weapon unlawfully or  
27 in such other manner as would endanger the person's self or  
28 others.

29 (2) Involved with or is a member of a criminal street gang  
30 as defined in section 723A.1.

31 (3) Involved with or participated in the unlawful  
32 distribution of a controlled substance.

33 c. Is subject to the provisions of section 724.26.

34 d. Is addicted to the use of alcohol or a controlled  
35 substance.

1 e. Has, within the previous three years, been convicted of  
2 any serious or aggravated misdemeanor defined in chapter 708  
3 not involving the use of a firearm or explosive.

4 f. Is prohibited by federal law from shipping, transporting,  
5 possessing, or receiving a firearm.

6 Sec. 4. EFFECTIVE UPON ENACTMENT. This Act, being deemed of  
7 immediate importance, takes effect upon enactment.

8 Sec. 5. APPLICABILITY. This Act applies to the sale or  
9 transfer of a semiautomatic assault weapon sold or transferred  
10 on or after the effective date of this Act.

11 EXPLANATION

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

14 This bill prohibits the sale or transfer of semiautomatic  
15 assault weapons, provides penalties, and includes effective  
16 date and applicability provisions.

17 The bill provides that a person who sells or transfers a  
18 semiautomatic assault weapon to an unauthorized person commits  
19 a class "D" felony for a first offense and a class "C" felony  
20 for a second or subsequent offense. A class "D" felony is  
21 punishable by confinement for no more than five years and a  
22 fine of at least \$750 but not more than \$7,500. A class "C"  
23 felony is punishable by confinement for no more than 10 years  
24 and a fine of at least \$1,000 but not more than \$10,000.

25 The bill defines a semiautomatic assault weapon to include  
26 a semiautomatic rifle, pistol, or shotgun with certain  
27 characteristics, a conversion kit, part, or combination of  
28 parts from which a semiautomatic weapon can be assembled, and a  
29 frame or receiver that is identical to or based substantially  
30 on the frame or receiver or a semiautomatic assault weapon.  
31 The bill excludes a firearm that is manually operated by a  
32 bolt, pump, lever, or slide action and a firearm that has  
33 been rendered permanently inoperable from the definition of a  
34 semiautomatic assault weapon.

35 The bill provides that a parent or guardian of a minor may

1 allow the minor to possess a semiautomatic assault weapon.

2 The bill defines an unauthorized person as the following:  
3 a minor defined as a person less than 18 years of age except  
4 as otherwise provided in the bill; a person likely to use the  
5 semiautomatic weapon unlawfully or in such other manner as  
6 would endanger the person's self or others; a person who is  
7 involved with or is a member of a criminal street gang as that  
8 term is defined in Code section 723A.1; a person involved with  
9 or participating in the unlawful distribution of a controlled  
10 substance; a person subject to the provisions of Code section  
11 724.26; a person who is addicted to the use of alcohol or a  
12 controlled substance; a person that has, within the previous  
13 three years, been convicted of any serious or aggravated  
14 misdemeanor defined in Code chapter 708 not involving the use  
15 of a firearm or explosive; and a person who is prohibited  
16 by federal law from shipping, transporting, possessing, or  
17 receiving a firearm.

18 The bill takes effect upon enactment and applies to the  
19 sale or transfer of a semiautomatic assault weapon sold or  
20 transferred on or after the effective date of the bill.