

**House File 92 - Introduced**

HOUSE FILE 92

BY HUNTER, STAED, STECKMAN,  
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and WESSEL-KROESCHELL

**A BILL FOR**

1 An Act relating to the sale or transfer of firearms, providing  
2 penalties, and including applicability provisions.

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

1 Section 1. NEW SECTION. 724.32 Sale or transfer of firearms  
2 — criminal history background check.

3 1. A person shall not sell or transfer a firearm to another  
4 person without receiving verification from a federally licensed  
5 firearms dealer that information regarding the prospective  
6 purchaser or transferee has been submitted to the department of  
7 public safety for a criminal history background check and that  
8 a determination has been received by the department of public  
9 safety that the prospective purchaser or transferee is not  
10 prohibited under either state or federal law from possessing a  
11 firearm. A criminal history background check conducted under  
12 this section shall include an inquiry of the national instant  
13 criminal background check system maintained by the federal  
14 bureau of investigation.

15 2. A person who sells or transfers a firearm in violation of  
16 this section is guilty of an aggravated misdemeanor.

17 3. A federally licensed firearms dealer may charge and  
18 collect fees for obtaining criminal history record information  
19 checks on behalf of sellers or transferors.

20 4. The department of public safety shall adopt rules  
21 pursuant to chapter 17A to administer this section.

22 Sec. 2. APPLICABILITY. This Act applies to the sale or  
23 transfer of firearms on or after the effective date of this  
24 Act.

25 EXPLANATION

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

28 This bill relates to the sale or transfer of firearms,  
29 provides penalties, and includes applicability provisions.

30 The bill prohibits a person from selling or transferring a  
31 firearm to another person without receiving verification from a  
32 federally licensed firearms dealer that information regarding  
33 the prospective purchaser or transferee has been submitted  
34 to the department of public safety for a criminal history  
35 background check and that a determination has been received by

1 the department of public safety that the prospective purchaser  
2 or transferee is not prohibited under either state or federal  
3 law from possessing a firearm. A criminal history background  
4 check under the bill includes an inquiry of the national  
5 instant criminal background check system maintained by the  
6 federal bureau of investigation.

7 The bill provides that a person who sells or transfers a  
8 firearm in violation of this Code section is guilty of an  
9 aggravated misdemeanor, punishable by confinement for no more  
10 than two years and a fine of at least \$625 but not more than  
11 \$6,250.

12 The bill provides that a federally licensed firearms dealer  
13 may charge and collect fees for obtaining criminal history  
14 record information checks on behalf of sellers and transferors  
15 and the department of public safety shall adopt administrative  
16 rules to administer the bill.

17 The bill applies to the sale or transfer of firearms on or  
18 after the effective date of the bill.