

House File 2138 - Introduced

HOUSE FILE 2138

BY JONES

A BILL FOR

1 An Act relating to use of and reporting requirements related to
2 forfeited weapons.

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

unofficial

1 Section 1. Section 809A.17, subsection 5, paragraph b, Code
2 2026, is amended to read as follows:

3 b. (1) Forfeited property which is a weapon or ammunition
4 shall be deposited with the department of public safety to be
5 disposed of in accordance with the rules of the department. All
6 weapons or ammunition may be held for use in law enforcement,
7 testing, or comparison by the criminalistics laboratory, or
8 destroyed. Ammunition and firearms which are not illegal and
9 are not offensive weapons as defined by section 724.1 may be
10 sold by the department as provided in section 809.21, or, upon
11 application and in accordance with department rules, be released
12 to a law enforcement agency.

13 (2) The department of public safety shall conduct an audit
14 annually of all forfeited weapons received under subparagraph
15 (1), including documentation of the use and location of each
16 weapon.

17 EXPLANATION

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

20 This bill relates to the use of and reporting requirements
21 related to forfeited weapons.

22 Under current law, weapons possessed, used, or available for
23 use during a public offense that is a serious or aggravated
24 misdemeanor or felony are subject to forfeiture. Weapons and
25 ammunition seized by a law enforcement officer for forfeiture
26 are deposited with the department of public safety. The bill
27 allows forfeited ammunition and weapons to be relinquished to a
28 law enforcement agency upon application in accordance with the
29 rules of the department of public safety.

30 The bill requires the department of public safety to conduct
31 an annual audit of all forfeited weapons received by the
32 department.