

House File 2533 - Introduced

HOUSE FILE 2533
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 564)

A BILL FOR

1 An Act relating to the safety of persons in certain professions
2 involved with the judicial system, including authorizing a
3 judicial officer, attorney general, deputy attorney general,
4 or assistant attorney general to be issued a professional
5 permit to carry weapons, establishing the criminal offenses of
6 threatening and the malicious sharing of personal information
7 of a judicial officer or a judicial officer's immediate
8 family, and considering true threats to public officials as
9 harassment, and providing penalties.
10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

PROFESSIONAL PERMIT TO CARRY WEAPONS

Section 1. Section 724.6, subsection 1, paragraph a, subparagraph (1), Code 2026, is amended to read as follows:

(1) A person may be issued a permit to carry weapons when the person's employment in a private investigation business or private security business licensed under chapter 80A, or a person's employment as a peace officer, correctional officer, judicial officer, county attorney, assistant county attorney, attorney general, deputy attorney general, assistant attorney general, security guard, bank messenger or other person transporting property of a value requiring security, or in police work, reasonably justifies that person going armed.

Sec. 2. Section 724.6, subsection 1, paragraph a, subparagraph (4), Code 2026, is amended to read as follows:

(4) A person may be issued a permit to carry weapons if the person is a judicial officer, county attorney, ~~or an~~ assistant county attorney, attorney general, deputy attorney general, or assistant attorney general. An application for a permit by an assistant county attorney must be approved by the county attorney of each county in which the applicant serves prior to a permit to carry weapons being issued. An application for a permit by the attorney general or deputy attorney general or by an assistant attorney general shall be delivered to the sheriff for the county in which the applicant resides. The sheriff of the issuing county may require the applicant to complete a proficiency examination prior to issuing the permit to carry weapons. The standards for a proficiency examination for a judicial officer, county attorney, ~~or~~ assistant county attorney, attorney general, deputy attorney general, or assistant attorney general shall not exceed the standards required of a peace officer. The applicant shall pay the reasonable costs associated with completing a proficiency examination.

Sec. 3. Section 724.6, subsection 1, paragraphs b, c, and d, Code 2026, are amended to read as follows:

1 b. The permit shall be on a form prescribed and published
 2 by the commissioner of public safety, shall identify the holder,
 3 and shall state the nature of the employment requiring the
 4 holder to go armed. A permit so issued, other than to a
 5 peace officer, judicial officer, county attorney, ~~or~~ assistant
 6 county attorney, attorney general, deputy attorney general, or
 7 assistant attorney general, shall authorize the person to whom it
 8 is issued to go armed anywhere in the state, only while engaged
 9 in the employment, and while going to and from the place of the
 10 employment.

11 c. A permit issued to a certified peace officer, judicial
 12 officer, county attorney, ~~or~~ assistant county attorney, attorney
 13 general, deputy attorney general, or assistant attorney general
 14 shall authorize that peace officer, judicial officer, county
 15 attorney, ~~or~~ assistant county attorney, attorney general, deputy
 16 attorney general, or assistant attorney general to go armed
 17 anywhere in the state at all times, including on the grounds of a
 18 school.

19 d. Permits shall expire twelve months after the date when
 20 issued except that permits issued to peace officers, judicial
 21 officers, county attorneys, assistant county attorneys, the
 22 attorney general, deputy attorneys general, assistant attorneys
 23 general, and correctional officers are valid through the holder
 24 of the permit's period of employment unless otherwise canceled.
 25 When the employment is terminated, the holder of the permit shall
 26 surrender ~~it~~ the permit to the issuing officer for cancellation.

27 Sec. 4. Section 724.6, subsection 1, Code 2026, is amended by
 28 adding the following new paragraph:

29 NEW PARAGRAPH. e. Notwithstanding any other provision in
 30 this section, a person issued a permit to carry weapons under
 31 this section may carry weapons only in a concealed manner when
 32 inside a courtroom. This paragraph does not apply to peace
 33 officers or correctional officers when fulfilling their duties of
 34 employment.

35 Sec. 5. Section 724.6, subsection 3, Code 2026, is amended to

1 read as follows:

2 3. For purposes of this section, ~~"emergency medical care~~
3 ~~provider"~~:

4 a. "Emergency medical care provider" means the same as
5 defined in section 147A.1.

6 b. "Judicial officer" means the same as defined in section
7 602.1101.

8 Sec. 6. Section 724.6, Code 2026, is amended by adding the
9 following new subsection:

10 NEW SUBSECTION. 4. The supreme court may by rule impose
11 additional training or other requirements on judicial officers
12 who hold a permit issued under this section.

13 DIVISION II

14 THREATS AGAINST A JUDICIAL OFFICER OR AN IMMEDIATE FAMILY MEMBER
15 OF A JUDICIAL OFFICER

16 Sec. 7. NEW SECTION. **708.17 Threatening a judicial officer**
17 **or an immediate family member of a judicial officer.**

18 1. No person shall threaten a judicial officer or the
19 immediate family member of a judicial officer with the intent to
20 do any of the following:

21 a. Place the judicial officer or the immediate family member
22 of a judicial officer in fear of serious injury to the judicial
23 officer or the immediate family member of the judicial officer.

24 b. Prevent or interrupt the ability of the judicial officer
25 to carry out the judicial officer's job duties.

26 c. Retaliate against a judicial officer in relation to the
27 performance of the judicial officer's official duties during the
28 judicial officer's term of service.

29 2. A person who violates the provisions of this section is
30 guilty of a class "C" felony.

31 3. As used in this section:

32 a. "Immediate family member" means a spouse, child, sibling,
33 parent, grandparent, or grandchild, and includes a stepparent, a
34 stepchild, a stepsibling, or an adoptive relationship.

35 b. "Judicial officer" means the same as defined in section

1 602.1101.

2 c. "Retaliate" means intentionally threatening bodily injury
3 to or damage to the property of a judicial officer with intent to
4 retaliate against the judicial officer for the judicial officer's
5 exercise of judicial duties and causing the judicial officer
6 or the family member to reasonably believe that the judicial
7 officer's or the family member's person or property is in danger.

8 DIVISION III

9 MALICIOUS SHARING OF PERSONAL INFORMATION

10 Sec. 8. NEW SECTION. **708.18 Malicious sharing of personal**
11 **information of a judicial officer or an immediate family member**
12 **of a judicial officer.**

13 1. No person shall share the personal information of a
14 judicial officer or the immediate family member of a judicial
15 officer with the intent to do any of the following:

16 a. Cause harm to the judicial officer or the immediate family
17 member of a judicial officer.

18 b. Place the judicial officer or the immediate family member
19 of a judicial officer in fear of serious harm to the judicial
20 officer or to an immediate family member of the judicial officer.

21 c. Prevent or interrupt the ability to carry out the judicial
22 officer's job duties.

23 2. A person who violates the provisions of this section is
24 guilty of a serious misdemeanor.

25 3. As used in this section:

26 a. "Immediate family member" means a spouse, child, sibling,
27 parent, grandparent, or grandchild, and includes a stepparent, a
28 stepchild, a stepsibling, or an adoptive relationship.

29 b. "Judicial officer" means the same as defined in section
30 602.1101.

31 c. "Personal information" means a person's personal physical
32 address, personal phone number, or physical location.

33 DIVISION IV

34 THREATS INCLUDING TO PUBLIC OFFICIALS

35 Sec. 9. Section 708.7, subsection 1, Code 2026, is amended by

1 adding the following new paragraph:

2 NEW PARAGRAPH. c. A person commits harassment when the
3 person communicates a true threat, including an intent to cause
4 bodily injury to a public official, as defined in section 68B.2,
5 and the public official becomes aware of such communication
6 within one year of the threat.

7 EXPLANATION

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

10 This bill relates to the safety of persons in certain
11 professions involved with the judicial system, including by
12 authorizing a judicial officer, attorney general, deputy attorney
13 general, and assistant attorney general to be issued a
14 professional permit to carry weapons; and establishing the
15 criminal offenses of threatening and the malicious sharing of
16 personal information of a judicial officer or a member of the
17 judicial officer's immediate family.

18 DIVISION I. The bill provides that a permit issued to a
19 judicial officer, attorney general, deputy attorney general,
20 or assistant attorney general grants authorization to go armed
21 anywhere in the state at all times, including on the grounds of a
22 school.

23 The bill provides that a permit issued to a judicial officer,
24 attorney general, deputy attorney general, or assistant attorney
25 general is valid through the holder of the permit's period of
26 employment unless otherwise canceled. When the employment is
27 terminated, the holder of the permit is required to surrender the
28 permit to the issuing officer for cancellation.

29 The bill defines "judicial officer" as a supreme court
30 justice, a judge of the court of appeals, a district judge,
31 a district associate judge, an associate juvenile judge, an
32 associate probate judge, or a magistrate. The term also includes
33 a person who is temporarily serving as a justice, judge, or
34 magistrate as permitted by law.

35 The bill allows the supreme court to impose additional

1 training or other requirements on judicial officers who hold a
2 permit issued under the bill.

3 DIVISION II. The bill establishes the offense of threatening
4 a judicial officer or an immediate family member of a judicial
5 officer.

6 The bill prohibits a person from threatening a judicial
7 officer or the immediate family member of a judicial officer with
8 the intent to do any of the following: placing the judicial
9 officer or the immediate family member of a judicial officer in
10 fear of serious injury to the judicial officer or the immediate
11 family member of the judicial officer; preventing or interrupting
12 the ability of the judicial officer to carry out the judicial
13 officer's job duties; or retaliating against a judicial officer
14 in relation to the performance of the judicial officer's official
15 duties during the judicial officer's term of service. The bill
16 defines "immediate family member" and "retaliation".

17 A person violating this division of the bill is guilty of
18 a class "C" felony. A class "C" felony is punishable by
19 confinement for no more than 10 years and a fine of at least
20 \$1,370 but not more than \$13,660.

21 DIVISION III. The bill establishes the criminal offense of the
22 malicious sharing of personal information of a judicial officer
23 or an immediate family member of a judicial officer.

24 The bill prohibits a person from sharing the personal
25 information of a judicial officer or the immediate family member
26 of a judicial officer with the intent to do any of the following:
27 causing harm to the judicial officer or the immediate family
28 member of a judicial officer; placing the judicial officer or the
29 immediate family member of a judicial officer in fear of serious
30 harm to the judicial officer or to an immediate family member of
31 the judicial officer; or preventing or interrupting the ability
32 to carry out the judicial officer's job duties. The bill defines
33 "personal information".

34 A person violating this division of the bill is guilty of
35 a serious misdemeanor. A serious misdemeanor is punishable by

1 confinement for no more than one year and a fine of at least \$430
2 but not more than \$2,560.

3 DIVISION IV. The bill provides that a person commits
4 harassment when the person communicates a true threat, including
5 an intent to cause bodily injury to a public official, and the
6 public official becomes aware of the threat within one year.

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