

House Study Bill 280 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON PUBLIC
SAFETY BILL BY CHAIRPERSON
VONDRAN)

A BILL FOR

1 An Act relating to weapons, including eligibility-to-carry
2 requirements and terms used, and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 724.8, subsections 2, 3, and 5, Code 2025,
2 are amended by striking the subsections.

3 Sec. 2. Section 724.8B, Code 2025, is amended to read as
4 follows:

5 **724.8B Persons ineligible to carry ~~dangerous weapons~~**
6 **firearms.**

7 A person determined to be ineligible to receive a permit
8 to carry ~~weapons~~ firearms under section 724.8, subsection ~~2,~~
9 ~~3,~~ ~~4,~~ ~~5,~~ or 6, a person who illegally possesses a controlled
10 substance included in chapter 124, subchapter II, or a person who
11 is committing an indictable offense is prohibited from carrying
12 ~~dangerous weapons~~ firearms. Unless otherwise provided by law, a
13 person who violates this section commits a serious misdemeanor.

14 Sec. 3. Section 724.15, subsection 2, paragraph d, Code 2025,
15 is amended by striking the paragraph.

16 Sec. 4. Section 724.15, subsection 3, Code 2025, is amended
17 to read as follows:

18 3. An issuing officer who finds that a person issued a
19 permit to acquire ~~pistols or revolvers~~ firearms under this
20 chapter has been arrested for a disqualifying offense or is
21 the subject of proceedings that could lead to the person's
22 ineligibility for such permit may immediately suspend such
23 permit. An issuing officer proceeding under this subsection
24 shall immediately notify the permit holder of the suspension
25 by personal service or certified mail on a form prescribed and
26 published by the commissioner of public safety and the suspension
27 shall become effective upon the permit holder's receipt of such
28 notice. If the suspension is based on an arrest or a proceeding
29 that does not result in a disqualifying conviction or finding
30 against the permit holder, the issuing officer shall immediately
31 reinstate the permit upon receipt of proof of the matter's final
32 disposition. If the arrest leads to a disqualifying conviction
33 or the proceedings to a disqualifying finding, the issuing
34 officer shall revoke the permit. The issuing officer may also
35 revoke the permit of a person whom the issuing officer later

1 finds was not qualified for such a permit at the time of issuance
2 or whom the officer finds provided materially false information
3 on the permit application. A person aggrieved by a suspension or
4 revocation under this subsection may seek review of the decision
5 pursuant to section 724.21A.

6 Sec. 5. Section 724.16, subsections 1 and 2, Code 2025, are
7 amended to read as follows:

8 1. A person shall not transfer a firearm to another person
9 if the person knows or reasonably should know that the other
10 person is ineligible to ~~possess dangerous weapons~~ carry firearms
11 pursuant to section 724.8B, is intoxicated as provided under
12 the conditions set out in section 321J.2, subsection 1, or is
13 prohibited from receiving or possessing a firearm under section
14 724.26 or federal law.

15 2. A person shall not loan or rent a firearm to another
16 person for temporary use during lawful activities if the
17 person knows or reasonably should know that the other person
18 is ineligible to ~~possess dangerous weapons~~ carry firearms
19 pursuant to section 724.8B, is intoxicated as provided under
20 the conditions set out in section 321J.2, subsection 1, or is
21 prohibited from receiving or possessing a firearm under section
22 724.26 or federal law.

23 Sec. 6. Section 724.17, subsection 1, Code 2025, is amended
24 to read as follows:

25 1. The application for a permit to acquire ~~pistols or~~
26 ~~revolvers~~ firearms may be made to the sheriff of the county of
27 the applicant's residence and shall be on a form prescribed and
28 published by the commissioner of public safety. The application
29 shall require only the full name of the applicant, the driver's
30 license or nonoperator's identification card number of the
31 applicant, the residence of the applicant, the date and place
32 of birth of the applicant, and whether the applicant meets the
33 criteria specified in section 724.15. The applicant shall also
34 display an identification card that bears a distinguishing number
35 assigned to the cardholder, the full name, date of birth, sex,

1 residence address, and brief description and color photograph
2 of the cardholder, or other identification as specified by
3 rule of the department of public safety. The sheriff shall
4 conduct a criminal history check concerning each applicant by
5 obtaining criminal history data from the department of public
6 safety which shall include an inquiry of the national instant
7 criminal background check system maintained by the federal bureau
8 of investigation or any successor agency. A person who makes
9 what the person knows to be a false statement of material fact
10 on an application submitted under this section or who submits
11 what the person knows to be any materially falsified or forged
12 documentation in connection with such an application commits a
13 class "D" felony.

14 Sec. 7. Section 724.18, Code 2025, is amended to read as
15 follows:

16 **724.18 Procedure for making application for permit to**
17 **acquire.**

18 A person may personally request the sheriff to mail an
19 application for a permit to acquire ~~pistols or revolvers~~
20 firearms, and the sheriff shall immediately forward to such
21 person an application for a permit to acquire ~~pistols or~~
22 ~~revolvers~~ firearms. A person shall upon completion of the
23 application personally deliver such application to the sheriff
24 who shall note the period of validity on the application
25 and shall immediately issue the permit to acquire ~~pistols or~~
26 ~~revolvers~~ firearms to the applicant. For the purposes of this
27 section the date of application shall be the date on which the
28 sheriff received the completed application.

29 Sec. 8. Section 724.19, Code 2025, is amended to read as
30 follows:

31 **724.19 Issuance of permit to acquire.**

32 The permit to acquire ~~pistols or revolvers~~ firearms shall
33 be issued to the applicant immediately upon completion of the
34 application unless the applicant is disqualified under the
35 provisions of section 724.15. The issuing officer shall notify

1 the commissioner of public safety of the issuance of any permit
2 at least monthly and forward to the commissioner an amount equal
3 to five dollars for each permit issued. Except as provided
4 in subsection 2, the permit shall have a uniform appearance,
5 size, and content prescribed and published by the commissioner
6 of public safety. The permit shall contain the name of the
7 permittee and the effective date of the permit, but shall not
8 contain the permittee's social security number. Such a permit
9 shall not be issued for a particular ~~pistol or revolver~~ firearm
10 and shall not contain information about a particular ~~pistol or~~
11 ~~revolver~~ firearm including the make, model, or serial number of
12 the ~~pistol or revolver~~ firearm, or any ammunition used in that
13 ~~pistol or revolver~~ firearm.

14 Sec. 9. Section 724.20, Code 2025, is amended to read as
15 follows:

16 **724.20 Validity of permit to acquire ~~pistols or revolvers~~**
17 **firearms.**

18 The permit to acquire firearms shall be valid throughout the
19 state and shall be valid three days after the date of application
20 and shall be invalid five years after the date of issuance.

21 Sec. 10. Section 724.21A, subsections 1, 7, and 8, Code 2025,
22 are amended to read as follows:

23 1. In any case where when the sheriff or the commissioner of
24 public safety denies an application for or suspends or revokes
25 a permit to carry weapons or a permit to acquire ~~pistols or~~
26 ~~revolvers~~ firearms, the sheriff or commissioner shall provide
27 a written statement of the reasons for the denial, suspension,
28 or revocation and the applicant or permit holder shall have
29 the right to appeal the denial, suspension, or revocation to
30 an administrative law judge in the department of inspections,
31 appeals, and licensing within thirty days of receiving written
32 notice of the denial, suspension, or revocation.

33 7. In any case where the issuing officer denies an
34 application for, or suspends or revokes a permit to carry
35 weapons or a permit to acquire ~~pistols or revolvers~~ firearms

1 solely because of an adverse determination by the national
2 instant criminal background check system, the applicant or permit
3 holder shall not seek relief under this section but may pursue
4 relief of the national instant criminal background check system
5 determination pursuant to Pub. L. No. 103-159, sections 103(f)
6 and (g) and 104 and 28 C.F.R. §25.10, or other applicable law.
7 The outcome of such proceedings shall be binding on the issuing
8 officer.

9 8. If an applicant or permit holder appeals the decision by
10 the sheriff or commissioner to deny an application for or suspend
11 or revoke a permit to carry weapons or a permit to acquire
12 ~~pistols or revolvers~~ firearms, and it is later determined on
13 appeal the applicant or permit holder is eligible to be issued or
14 possess a permit to carry weapons or a permit to acquire ~~pistols~~
15 ~~or revolvers~~ firearms, the applicant or permit holder shall
16 be awarded court costs and reasonable attorney fees. If the
17 decision of the sheriff or commissioner to deny an application
18 for or suspend or revoke a permit to carry weapons or a permit
19 to acquire ~~pistols or revolvers~~ firearms is upheld on appeal, or
20 the applicant or permit holder withdraws or dismisses the appeal,
21 the political subdivision of the state representing the sheriff
22 or the state department representing the commissioner shall be
23 awarded court costs and reasonable attorney fees.

24 Sec. 11. Section 724.23, subsection 2, paragraphs a and b,
25 Code 2025, are amended to read as follows:

26 a. Notwithstanding any other law or rule to the contrary,
27 the commissioner of public safety and any issuing officer shall
28 keep confidential personally identifiable information of holders
29 of professional or nonprofessional permits to carry weapons and
30 permits to acquire ~~pistols or revolvers~~ firearms, including but
31 not limited to the name, social security number, date of birth,
32 residential or business address, and driver's license or other
33 identification number of the applicant or permit holder.

34 b. This subsection shall not prohibit the release of
35 statistical information relating to the issuance, denial,

1 revocation, or administration of professional or nonprofessional
2 permits to carry weapons and permits to acquire ~~pistols or~~
3 ~~revolvers~~ firearms, provided that the release of such information
4 does not reveal the identity of any individual permit holder.

5 Sec. 12. REPEAL. Section 724.31A, Code 2025, is repealed.

6

EXPLANATION

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The inclusion of this explanation does not constitute agreement with

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the explanation's substance by the members of the general assembly.

9 This bill relates to weapons, including eligibility-to-carry
10 requirements and terms used.

11 Under current law, a person is ineligible to receive a permit
12 to carry weapons and to carry dangerous weapons if the person
13 is addicted to the use of alcohol; if probable cause exists to
14 believe, based upon documented specific actions of the person,
15 when at least one of the actions occurred within two years
16 immediately preceding the date of the permit application, that
17 the person is likely to use a weapon unlawfully or in such other
18 manner as would endanger the person's self or others; or if
19 the person has been convicted within the last three years of
20 a serious or aggravated misdemeanor not involving firearms or
21 explosives. The bill removes these ineligibility conditions.

22 Under current law, a person is prohibited from acquiring
23 a pistol or revolver if the person is ineligible to possess
24 a dangerous weapon pursuant to Code section 724.8B. The bill
25 removes this prohibition. The bill also removes identification
26 and notification requirements for the clerk of court and
27 department of public safety for persons prohibited from acquiring
28 a pistol or revolver to conform to changes pursuant to the bill.

29 Under current law, a person shall not transfer, loan, or rent
30 a firearm to another if that person knows the other person is
31 ineligible to possess dangerous weapons pursuant to Code section
32 724.8B. The bill changes the word "possess" to "carry" and
33 instances of "dangerous weapons" to "firearms". The bill also
34 changes references of "permit to acquire pistols or revolvers" in
35 Code chapter 724 to "permit to acquire firearms".

H.F. _____

1 The bill requires the issuing officer to notify the
2 commissioner of the issuance of any permit to acquire firearms at
3 least monthly and forward to the commissioner \$5 for each permit
4 issued to acquire firearms.

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