

2. "Motor vehicle" means a motor vehicle as defined in section 321.1 which is subject to registration. However, "motor vehicle" does not include a motor vehicle, as defined in section 321.1, with a registered gross vehicle weight rating of more than twelve thousand pounds.

Sec. 14. Section 537B.4, subsection 1, paragraph b, as enacted by 1990 Iowa Acts, Senate File 81, is amended to read as follows:

b. "Motor vehicle" means a motor vehicle as defined in section 321.1 which is subject to registration.

Approved April 4, 1990

CHAPTER 1146
FEDERAL JURISDICTION
S.F. 368

AN ACT relating to procedures for accepting offers from federal agencies for full or partial cession or retrocession of federal jurisdiction over lands in federal enclaves within the state.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. NEW SECTION. 1.17 CESSION OR RETROCESSION OF FEDERAL JURISDICTION.

By appropriate executive order, the governor may accept on behalf of the state full or partial cession or retrocession of federal jurisdiction, criminal or civil, over any lands, except Indian lands, in federal enclaves within the state where such cession or retrocession has been offered by appropriate federal authority. An executive order accepting a cession or retrocession of jurisdiction shall be filed in the office of the secretary of state and in the office of the recorder of the county in which the affected real estate is located.

Approved April 5, 1990

CHAPTER 1147
FIREARMS REGULATION
H.F. 2321

AN ACT relating to the acquisition and possession of firearms, increasing penalties for certain offenses, and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 724.10, Code 1989, is amended to read as follows:

724.10 APPLICATION FOR PERMIT TO CARRY WEAPONS — CRIMINAL HISTORY CHECK REQUIRED.

No A person shall not be issued a permit to carry weapons unless the person has completed and signed an application on a form to be prescribed and published by the commissioner of public safety. The application shall state the full name, social security number (optional), residence, and age of the applicant, and shall state whether the applicant has ever been convicted

of a felony, whether the person is addicted to the use of alcohol or any controlled substance, and whether the person has any history of mental illness or repeated acts of violence. The applicant shall also display an identification card that bears a distinguishing number assigned to the card holder, the full name, date of birth, sex, residence address, and a brief description and colored photograph of the card holder. Upon notification that criminal history data is available but not later than July 1, 1991, the sheriff shall conduct immediately a criminal history check concerning each applicant by obtaining criminal history data from the department of public safety. ~~Any~~ A person who knowingly makes a false statement of material fact on such the application commits an aggravated misdemeanor a class "D" felony.

Sec. 2. Section 724.15, subsection 1, paragraph f, Code 1989, is amended to read as follows:
f. The person has never been adjudged mentally defective incompetent.

Sec. 3. Section 724.15, subsection 2, Code 1989, is amended by adding the following new paragraphs:

NEW PARAGRAPH. d. The person has obtained a valid permit to carry weapons, as provided in section 724.11.

NEW PARAGRAPH. e. The person transferring the pistol or revolver and the person acquiring the pistol or revolver are related to one another within the second degree of consanguinity or affinity unless the person transferring the pistol or revolver knows that the person acquiring the pistol or revolver would be ineligible to obtain a permit.

Sec. 4. Section 724.16, Code 1989, is amended to read as follows:

724.16 ANNUAL PERMIT TO ACQUIRE REQUIRED — TRANSFER PROHIBITED.

1. Except as otherwise provided in section 724.15, subsection 2, a person who acquires ownership of a pistol or revolver without a valid annual permit to acquire pistols or revolvers or any a person who transfers ownership of a pistol or revolver to a person who does not have in the person's possession a valid annual permit to acquire pistols or revolvers is guilty of a simple misdemeanor.

2. A person who transfers ownership of a pistol or revolver to a person that the transferor knows is prohibited by section 724.15 from acquiring ownership of a pistol or revolver commits a class "D" felony.

Sec. 5. Section 724.17, Code 1989, is amended to read as follows:

724.17 APPLICATION FOR ANNUAL PERMIT TO ACQUIRE — CRIMINAL HISTORY CHECK REQUIRED.

The application for an annual permit to acquire pistols or revolvers may be made to the sheriff of the county of the applicant's residence and shall be on a form prescribed and published by the commissioner of public safety. The application shall state the full name of the applicant, the social security number of the applicant, the residence of the applicant, and the age of the applicant. The applicant shall also display an identification card that bears a distinguishing number assigned to the card holder, the full name, date of birth, sex, residence address, and brief description and colored photograph of the cardholder, or other identification as specified by rule of the department of public safety. Upon notification that criminal history data is available but not later than July 1, 1991, the sheriff shall conduct a criminal history check concerning each applicant by obtaining criminal history data from the department of public safety.

Sec. 6. Section 724.21, Code 1989, is amended to read as follows:

724.21 GIVING FALSE INFORMATION WHEN ACQUIRING WEAPON.

A person who gives a false name or presents false identification, or otherwise knowingly gives false material information to one from whom the person seeks to acquire a pistol or revolver, commits an aggravated misdemeanor a class "D" felony.

Sec. 7. Section 724.22, Code 1989, is amended by adding the following new subsection:

NEW SUBSECTION. 7. ACCESS TO LOADED FIREARMS BY CHILDREN RESTRICTED — PENALTY. It shall be unlawful for any person to store or leave a loaded firearm which is not secured by a trigger lock mechanism, placed in a securely locked box or container, or placed in some other location which a reasonable person would believe to be secure from a minor under the age of fourteen years, if such person knows or has reason to believe that a minor under the age of fourteen years is likely to gain access to the firearm without the lawful permission of the minor's parent, guardian, or person having charge of the minor, the minor lawfully gains access to the firearm without the consent of the minor's parent, guardian, or person having charge of the minor, and the minor exhibits the firearm in a public place in an unlawful manner, or uses the firearm unlawfully to cause injury or death to a person. This subsection does not apply if the minor obtains the firearm as a result of an unlawful entry by any person. A violation of this section is punishable as a serious misdemeanor.

Sec. 8. Section 724.26, Code 1989, is amended to read as follows:

724.26 RECEIPT, TRANSPORTATION, AND POSSESSION DOMINION AND CONTROL OF FIREARMS AND DESTRUCTIVE DEVICES OFFENSIVE WEAPONS BY FELONS.

Any A person who is convicted of a felony in any a state or federal court and who subsequently possesses knowingly has under the person's dominion and control, receives, or transports or causes to be transported a firearm or offensive weapon is guilty of an aggravated misdemeanor a class "D" felony.

Sec. 9. **NEW SECTION. 724.28 PROHIBITION OF REGULATION BY POLITICAL SUBDIVISIONS.**

A political subdivision of the state shall not enact an ordinance regulating the ownership, possession, legal transfer, lawful transportation, registration, or licensing of firearms when the ownership, possession, transfer, or transportation is otherwise lawful under the laws of this state. An ordinance regulating firearms in violation of this section existing on or after the effective date of this Act is void.

Sec. 10. **NEW SECTION. 724.29 FIREARM DEVICES.**

A person who sells or offers for sale a manual or power-driven trigger activating device constructed and designed so that when attached to a firearm increases the rate of fire of the firearm is guilty of an aggravated misdemeanor.

Sec. 11.

This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 5, 1990