

**661—91.3 (724) Federal and state prohibitions—permit to carry weapons.**

**91.3(1)** United States Code 18 U.S.C. § 922(g) prohibits the possession of any firearm by any person:

- a.* Who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year; or
- b.* Who is a fugitive from justice; or
- c.* Who is an unlawful user of or addicted to any controlled substance; or
- d.* Who has been adjudicated as a mental defective or who has been committed to a mental institution; or
- e.* Who, being an alien, is illegally or unlawfully in the United States. Persons lawfully admitted to the United States as immigrant or nonimmigrant aliens must have resided in Iowa for at least 90 continuous days before becoming eligible for an Iowa permit to carry weapons. Additionally, nonimmigrant aliens must display a current valid hunting license issued in any state, meet the requirements of an exception pursuant to 18 U.S.C. § 922(y)(2), or display a waiver granted by the United States Attorney General; or
- f.* Who has been discharged from the armed forces under dishonorable conditions; or
- g.* Who, having been a citizen of the United States, has renounced the person's citizenship; or
- h.* Who is subject to a court order that:
  - (1) Was issued after a hearing for which such person received actual notice and at which such person had an opportunity to participate;
  - (2) Restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person or from engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and
  - (3) Includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child or by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or
- i.* Who has been convicted in any court of a misdemeanor crime of domestic violence.

**91.3(2)** United States Code 18 U.S.C. § 922(n) prohibits the receiving of any firearm by any person:

- a.* Who is under indictment for a crime punishable by imprisonment for a term exceeding one year.
- b.* Reserved.

**91.3(3)** Iowa Code chapter 724 as amended by 2010 Iowa Acts, Senate File 2379, prohibits the issuance of an Iowa professional permit to carry weapons to any person:

- a.* Who is less than 18 years of age for a private security officer licensed by the Iowa department of public safety, or otherwise who is less than 21 years of age; or
- b.* Who is addicted to the use of alcohol; or
- c.* For whom probable cause exists to believe, based upon documented specific actions of the person, where at least one of the actions occurred within two years immediately preceding the date of the permit application, that the person is likely to use a weapon unlawfully or in such other manner as would endanger the person's self or others; or
- d.* Who has been convicted of a felony in a state or federal court, or who has been adjudicated delinquent on the basis of conduct that would constitute a felony if committed by an adult; or
- e.* Who is subject to a court order that:
  - (1) Was issued after a hearing for which such person received actual notice and at which such person had an opportunity to participate;
  - (2) Restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person or from engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and
  - (3) Includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child or by its terms explicitly prohibits the use, attempted use, or threatened use of

physical force against such intimate partner or child that would reasonably be expected to cause bodily injury; or

- f.* Who has been convicted in any court of a misdemeanor crime of domestic violence; or
- g.* Who has, within the previous three years, been convicted of any serious or aggravated misdemeanor defined in Iowa Code chapter 708 not involving the use of a firearm or explosive.

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