Senate File 2379

S-5371

1 Amend Senate File 2379 as follows:
2  1. By striking everything after the enacting clause
3 and inserting:
4  <Section 1. Section 80A.13, Code 2009, is amended
5 to read as follows:
6  **80A.13 Campus weapon requirements.**
7  An individual employed by a college or university,
8 or by a private security business holding a contract
9 with a college or university, who performs private
10 security duties on a college or university campus and
11 who carries a weapon while performing these duties
12 shall meet all of the following requirements:
13  1. File with the sheriff of the county in which
14 the campus is located evidence that the individual has
15 successfully completed an approved firearms training
16 program under section 724.9. This requirement does not
17 apply to armored car personnel.
18  2. Possess a permit to carry weapons issued by the
19 sheriff of the county in which the campus is located
20 under sections 724.6 through 724.11. This requirement
21 does not apply to armored car personnel.
22  3. File file with the sheriff of the county in
23 which the campus is located a sworn affidavit from
24 the employer outlining the nature of the duties to be
25 performed and justification of the need to go armed.
26  Sec. 2. Section 724.4, Code 2009, is amended to
27 read as follows:
28  **724.4 Carrying weapons.**
29  1. Except as otherwise provided in this section, a
30 person who goes armed with a dangerous weapon eoneealed
31 on or about the person, or who, within the limits of
32 any city, goes armed with a pistol or revolver, or
33 any loaded firearm of any kind, whether concealed
34 or not, or who knowingly carries or transports in a
35 vehicle a pistol or revolver, commits an aggravated
36 misdemeanor with the intent to commit a crime of
37 violence commits a class "D" felony. This subsection
38 applies regardless of whether the dangerous weapon
39 is concealed or not concealed on or about the person
40 and regardless of whether the dangerous weapon is
41 transported in a vehicle. For purposes of this
42 subsection, "crime of violence" means a felony which
43 has, as an element of the offense, the use of physical
44 force by one person against another person.
45  2. A person who goes armed with a knife concealed
46 on or about the person, if the person uses the knife
47 in the commission of a crime, commits an aggravated
48 misdemeanor.
49  3. A person who goes armed with a knife concealed
50 on or about the person, if the person does not use the
knife in the commission of a crime:

a. If the knife has a blade exceeding eight inches in length, commits an aggravated misdemeanor.

b. If the knife has a blade exceeding five inches but not exceeding eight inches in length, commits a serious misdemeanor.

4. Subsections 1 through 3 do not apply to any of the following:

a. A person who for any lawful purpose goes armed with a dangerous weapon in the person’s own dwelling or place of business, or on land owned or possessed by the person.

b. A peace officer, when the officer’s duties require the person to carry such weapons.

c. A person who for any lawful purpose carries an unloaded pistol, revolver, or other dangerous weapon inside a closed and fastened container or securely wrapped package which is too large to be concealed on the person.

d. A correctional officer, when the officer’s duties require, serving under the authority of the Iowa department of corrections.

e. A person who for any lawful purpose carries or transports an unloaded pistol or revolver in a vehicle inside a closed and fastened container or securely wrapped package which is too large to be concealed on the person or inside a cargo or luggage compartment where the pistol or revolver will not be readily accessible to any person riding in the vehicle or common carrier.

f. A person who while the person is lawfully engaged in target practice on a range designed for that purpose or while actually engaged in lawful hunting.

g. A person who carries a knife used in hunting or fishing, while actually engaged in lawful hunting or fishing.

h. A person who has in the person’s possession and who displays to a peace officer on demand a valid permit to carry weapons which has been issued to the person, and whose conduct is within the limits of that permit. A person shall not be convicted of a violation of this section if the person produces at the person’s trial a permit to carry weapons which was valid at the time of the alleged offense and which would have brought the person’s conduct within this exception if the permit had been produced at the time of the alleged
1 offense.
2 (e) A law enforcement officer from another state when the officer’s duties require the officer to carry the weapon and the officer is in this state for any of the following reasons:
3 (1) The extradition or other lawful removal of a prisoner from this state.
4 (2) Pursuit of a suspect in compliance with chapter 806.
5 (3) Activities in the capacity of a law enforcement officer with the knowledge and consent of the chief of police of the city or the sheriff of the county in which the activities occur or of the commissioner of public safety.
6 f. A person engaged in the business of transporting prisoners under a contract with the Iowa department of corrections or a county sheriff, a similar agency from another state, or the federal government.
7 Sec. 3. Section 724.4B, subsection 2, paragraph a, Code 2009, is amended to read as follows:
8 a. A person listed under section 724.4, subsection 4, paragraphs paragraph “b” through “f”, “c”, or “e”.
9 Sec. 4. Section 724.6, subsection 1, Code Supplement 2009, is amended to read as follows:
10 1. A person may be issued a permit to carry weapons when the person’s employment who is employed in a private investigation business or private security business licensed under chapter 80A, or a person’s employment as a peace officer, correctional officer, security guard, bank messenger or other person transporting property of a value requiring security, or in police work, whose employment reasonably justifies that person going armed, shall be issued a professional permit to carry weapons if the person applies for the permit and meets the requirements of sections 724.8 through 724.10. The permit shall be on a form prescribed and published by the commissioner of public safety, shall identify the holder, and shall state the nature of the employment requiring the holder to go armed. A permit so issued, other than to a peace officer, shall authorize the person to whom it is issued to go armed anywhere in the state, only while engaged in the employment, and while going to and from the place of the employment. A permit issued to a certified peace officer shall authorize that peace officer to go armed anywhere in the state at all times. Permits shall expire twelve months five years after the date when issued except that permits issued to peace.
officers and correctional officers are valid through the officer's period of employment unless otherwise canceled. When the employment is terminated, the holder of the permit shall surrender it to the issuing officer for cancellation.

Sec. 5. Section 724.7, Code 2009, is amended to read as follows:

724.7 Nonprofessional permit to carry weapons.
Any person who can reasonably justify going armed may not otherwise prohibited from possessing or transporting a firearm and who meets the requirements in sections 724.8 through 724.10 shall be issued a nonprofessional permit to carry weapons if the person applies for such permit. Such permits shall be on a form prescribed and published by the commissioner of public safety, which shall be readily distinguishable from the professional permit, and shall identify the holder thereof, and state the reason for the issuance of the permit, and the limits of the authority granted by such permit. All permits so issued shall be for a definite five-year period as established by the issuing officer, but in no event shall exceed a period of twelve months.

Sec. 6. Section 724.8, subsection 5, Code 2009, is amended to read as follows:
5. The issuing officer reasonably determines that the applicant does not constitute a danger to any person if is not otherwise prohibited by state or federal law from possessing or transporting a firearm.

Sec. 7. Section 724.9, Code 2009, is amended to read as follows:

724.9 Firearm training program.
A training program to qualify persons in the safe use of firearms shall be provided by the issuing officer of permits, as provided in section 724.11. The commissioner of public safety shall approve the training program, and the county sheriff or the commissioner of public safety conducting the training program within their respective jurisdictions may shall contract with a private organization or use the services of other agencies, or may use a combination of the two, to provide such training a private individual or a professional organization who shall conduct the training consistent with training standards set forth by the national rifle association. Any person eligible to be issued a permit to carry weapons may enroll in such course. A fee sufficient to cover the cost of the program may be charged each person attending. Certificates of completion, on a form prescribed and published by the commissioner.
of public safety, shall be issued to each person who
successfully completes the program. No person shall
not be issued a professional or nonprofessional
permit unless the person has received a certificate of
completion or is a certified peace officer. No peace
officer or correctional officer, except a certified
peace officer, shall go armed with a pistol or revolver
unless the officer has received a certificate of
completion, provided that this requirement shall not
apply to persons who are employed in this state as
peace officers on January 1, 1978 until July 1, 1978,
or to peace officers of other jurisdictions exercising
their legal duties within this state.

Sec. 8. Section 724.11, Code 2009, is amended to
read as follows:

724.11 Issuance of permit to carry weapons.

Applications for permits: An application for a
permit to carry weapons, if made, shall be made to the
sheriff of the county in which the applicant resides.
Applications from persons who are nonresidents of
the state, or whose need to go armed arises out
of employment by the state, shall be made to the
commissioner of public safety. In either case,
the issuance of the permit shall be by and at the
discretion of the sheriff or commissioner, who
shall, before issuing the permit, determine that the
requirements of sections 724.6 to 724.8 through 724.10
have been satisfied and the person is not otherwise
prohibited by state or federal law from possessing or
transporting a firearm. However, the training program
requirements in section 724.9 may be waived for renewal
permits. The issuing officer shall collect a fee
of ten fifty dollars, except from a duly appointed
peace officer or correctional officer, for each permit
issued. Renewal permits or duplicate permits shall be
issued for a fee of five dollars. The issuing officer
shall notify the commissioner of public safety of the
issuance of any permit at least monthly and forward to
the commissioner an amount equal to two dollars for
each permit issued and one dollar for each renewal
or duplicate permit issued. All such fees received
by the commissioner shall be paid to the treasurer
of state and deposited in the operating account of
the department of public safety to offset the cost of
administering this chapter. Any unspent balance as of
June 30 of each year shall revert to the general fund
as provided by section 8.33.

Sec. 9. NEW SECTION. 724.11A Reciprocity.

A person possessing a valid out-of-state permit to
carry a weapon shall be entitled to the privileges and
subject to the restrictions prescribed by this chapter
provided the state that issued the license recognizes
weapons permits issued in Iowa and provided the person
possessing such permit is not otherwise prohibited from
possessing a firearm.

Sec. 10. REPEAL. Section 724.5, Code 2009, is
repealed.

2. Title page, by striking lines 1 through 5
and inserting <An Act relating to permits to carry
weapons.>

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