

# **Excerpts from Iowa Weapons Law**

## **Chapter 724**

### **724.7 NONPROFESSIONAL PERMIT TO CARRY WEAPONS:**

Any person who is not disqualified under section 724.8, who satisfies the training requirements of section 724.9, and who files an application in accordance with section 724.10 shall be issued a nonprofessional permit to carry weapons. 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 of the permit. Such permits shall not be issued for a particular weapon and shall not contain information about a particular weapon including the make, model, or serial number of the weapon or any ammunition used in that weapon. All permits so issued shall be for a period of five years and shall be valid throughout the state except where the possession or carrying of a firearm is prohibited by state or federal law.

### **724.8 PERSONS ELIGIBLE FOR PERMIT TO CARRY WEAPONS:**

No professional or nonprofessional permit to carry weapons shall be issued to a person who is subject to any of the following:

1. Is less than eighteen years of age for a professional permit or less than twenty-one years of age for a nonprofessional permit.
2. Is addicted to the use of alcohol
3. 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.
4. Is subject to the provisions of section 724.26.
5. Has, within the previous three years, been convicted of any serious or aggravated misdemeanor defined in chapter 708,- not involving the use of a firearm or explosive.
6. Is prohibited by federal law from shipping, transporting, possessing, or receiving a firearm.

### **724.9 FIREARM TRAINING PROGRAM:**

1. An applicant shall demonstrate knowledge of firearm safety by any of the following means:
  - a. Completion of any national rifle association handgun safety training course.
  - b. Completion of any handgun safety training course available to the general public offered by a law enforcement agency, community college, college, private or public institution or organization, or firearms training school, utilizing instructors certified by the national rifle association or the department of public safety or another state's department of public safety, state police department, or similar certifying body.
  - c. Completion of any handgun safety training course offered for security guards, investigators, special deputies, or any division or subdivision of a law enforcement or security enforcement agency approved by the department of public safety.
  - d. Completion of small arms training while serving with the armed forces of the United States as evidenced by any of the following:
    - (1) For personnel released or retired from active duty, possession of an honorable discharge or general discharge under honorable conditions.
    - (2) For personnel on active duty or serving in one of the national guard or reserve components of the armed forces of the United States, possession of a certificate of completion of basic training with a service record of successful completion of small arms training and qualification.
  - e. Completion of a law enforcement agency firearms training course that qualifies a peace officer to carry a firearm in the normal course of the peace officer's duties.
2. Evidence of qualification under this section may be documented by any of the following:
  - a. A photocopy of a certificate of completion or any similar document indicating completion of any course or class identified in subsection 1.
  - b. An affidavit from the instructor, school, organization, or group that conducted or taught a course or class identified in subsection 1 attesting to the completion of the course or class by the applicant.
  - c. A copy of any document indicating participation in any firearms shooting competition.

3. An issuing officer shall not condition the issuance of a permit on training requirements that are not specified in or that exceed the requirements of this section.

**724.10 APPLICATION FOR PERMIT TO CARRY WEAPONS BACKGROUND CHECK REQUIRED:**

1. 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 require only the full name, driver's license or nonoperator's identification card number, residence, place of birth, and date of birth of the applicant, and shall state whether the applicant meets the criteria specified in sections 724.8 and 724.9. An applicant may provide the applicant's social security number if the applicant so chooses. The applicant shall also display an identification card that bears a distinguishing number assigned to the cardholder, the full name, date of birth, sex, residence address, and a brief description and colored photograph of the cardholder.

2. The issuing officer, upon receipt of an initial or renewal application under this section, shall immediately conduct a background check concerning each applicant by obtaining criminal history data from the department of public safety which shall include an inquiry of the national instant criminal background system maintained by the federal bureau of investigation or any successor agency.

3. A person who makes what the person knows to be a false statement of material fact on an application submitted under this section or who submits what the person knows to be any materially falsified or forged documentation in connection with such an application commits a class "D" felony.

**724.26 POSSESSION, RECEIPT, TRANSPORTATION, OR DOMINION AND CONTROL OF FIREARMS AND OFFENSIVE WEAPONS BY FELONS:**

A person who is convicted of a felony in a state or federal court, or who is adjudicated delinquent on the basis of conduct that would constitute a felony if committed by an adult, and who knowingly has under the person's dominion and control or possession, receives, or transports or causes to be transported a firearm or offensive weapon is guilty of a class "D" felony.

**724.4A WEAPONS FREE ZONES -- ENHANCED PENALTIES:**

1. As used in this section, "*weapons free zone*" means the area in or on, or within one thousand feet of, the real property comprising a public or private elementary or secondary school, or in or on the real property comprising a public park. A weapons free zone shall not include that portion of a public park designated as a hunting area under section 461A.42.

2. Notwithstanding sections 902.9 and 903.1, a person who commits a public offense involving a firearm or offensive weapon, within a weapons free zone, in violation of this or any other chapter shall be subject to a fine of twice the maximum amount which may otherwise be imposed for the public offense.