

House File 654 - Reprinted

HOUSE FILE 654

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 173)

(COMPANION TO LSB 1405SV BY
COMMITTEE ON JUDICIARY)

(As Amended and Passed by the House April 12, 2023)

A BILL FOR

1 An Act relating to the carrying, transportation, and possession
2 of and educational programs about weapons, and including
3 effective date provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 DIVISION I
2 FIREARMS, AMMUNITION, OR DANGEROUS WEAPONS — DEPARTMENT
3 OF CORRECTIONS AND OTHER DETENTION FACILITIES — PUBLICLY
4 ACCESSIBLE PARKING LOTS

5 Section 1. Section 719.7, subsection 3, paragraph a, Code
6 2023, is amended to read as follows:

7 a. Knowingly introduces contraband into, or onto, the
8 grounds of a secure facility for the detention or custody
9 of juveniles, detention facility, jail, community-based
10 correctional facility, correctional institution, or institution
11 under the management of the department of corrections. This
12 paragraph does not prohibit the otherwise lawful carrying,
13 transportation, or possession of a firearm or ammunition if
14 the firearm or ammunition remains out of sight and inside a
15 locked vehicle on the real property comprising the publicly
16 accessible, nonsecure parking lot of the facility, jail, or
17 institution.

18 Sec. 2. NEW SECTION. 724.4F Dangerous weapons in publicly
19 accessible parking lots.

20 1. A person may carry, transport, or possess a dangerous
21 weapon in a privately owned motor vehicle on the real property
22 comprising a publicly accessible, nonsecure parking lot that
23 is operated by the state or a county, city, or township in the
24 state if the carrying, transportation, or possession of the
25 dangerous weapon is otherwise lawful under the laws of this
26 state and if the dangerous weapon remains out of sight and
27 inside a locked vehicle on the real property when the vehicle
28 is unoccupied.

29 2. This section does not apply to a parking lot at a
30 facility, including an armory, owned or operated by the
31 national guard.

32 3. For purposes of this section, "facility" and "national
33 guard" mean the same as defined in section 29A.1.

34 Sec. 3. EFFECTIVE DATE. This division of this Act, being
35 deemed of immediate importance, takes effect upon enactment.

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DIVISION II

FIREARMS IN VEHICLES TRANSPORTING FOSTER CHILDREN

Sec. 4. Section 237.3, Code 2023, is amended by adding the following new subsection:

NEW SUBSECTION. 11. Rules of the department shall not prohibit the otherwise lawful carrying, transportation, or possession of a firearm, regardless of whether the firearm is loaded, in motor vehicles used to transport a child in foster care.

DIVISION III

FIREARMS ON SCHOOL PROPERTY

Sec. 5. NEW SECTION. **285.17 Weapons in school vehicles transporting pupils.**

When transportation is provided pursuant to this chapter, a driver shall not permit firearms or other weapons, nor ammunition, to be carried in the passenger compartment of any school vehicle transporting pupils except when the school district or nonpublic school authorizes or directs a person to carry, transport, or possess a firearm, other weapon, or ammunition in the school vehicle.

Sec. 6. Section 724.4B, subsection 2, Code 2023, is amended by adding the following new paragraphs:

NEW PARAGRAPH. *i.* A person, whether a driver or passenger and including a person authorized or directed pursuant to section 285.17, while the person is dropping off or picking up from a school a student, staff member, or other person having business at the school, or while the person is making a delivery or pickup at a school, who has in the person's possession a valid permit to carry weapons issued pursuant to section 724.7, while going armed with, carrying, or transporting a concealed pistol or revolver if the concealed pistol or revolver remains in the vehicle and the vehicle remains on the portion of the grounds of the school that comprises its driveways and parking areas. The vehicle shall be locked when unattended.

1 NEW PARAGRAPH. *j.* A person who can provide proof of
2 satisfying the requirements of 18 U.S.C. §926C.

3 Sec. 7. EFFECTIVE DATE. This division of this Act, being
4 deemed of immediate importance, takes effect upon enactment.

5 DIVISION IV

6 FIREARM SAFETY INSTRUCTION PROGRAM IN SCHOOLS

7 Sec. 8. Section 256.9, Code 2023, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 66. *a.* By July 1, 2024, develop and
10 distribute to all school districts an age-appropriate model
11 program for firearm safety instruction for pupils enrolled
12 in kindergarten through grade twelve. The model program for
13 pupils enrolled in kindergarten through grade six shall be
14 based on the eddie eagle gunsafe program developed by the
15 national rifle association. The model program for pupils
16 enrolled in grades seven through twelve shall be based on
17 the hunter education course developed by the national rifle
18 association and, if adopted by a school district, would satisfy
19 the school district's responsibilities under section 279.50B.
20 *b.* School districts are encouraged to implement the model
21 program for pupils enrolled in kindergarten through grade six
22 developed pursuant to paragraph "a".

23 Sec. 9. NEW SECTION. 279.50B **Firearm safety instruction.**

24 Each public school district shall offer or make available
25 an approved firearm safety instruction course to all students
26 enrolled in grades seven through twelve residing in the school
27 district or students enrolled in grades seven through twelve
28 attending a nonpublic school in the district. An instructor
29 for an approved firearm safety instruction course is not
30 required to be a teacher licensed by the board of educational
31 examiners. Courses may be offered at sites other than at the
32 public school, including nonpublic school facilities within the
33 public school districts. An approved course offered during the
34 summer months, on Saturdays, after regular school hours during
35 the regular terms or partly in one term or summer vacation

1 period and partly in the succeeding term or summer vacation
2 period, as the case may be, shall satisfy the requirements of
3 this section to the same extent as an approved course offered
4 during the regular school hours of the school term.

5 DIVISION V

6 DANGEROUS WEAPONS IN VEHICLES AT REGENTS UNIVERSITIES AND
7 COMMUNITY COLLEGE CAMPUSES

8 Sec. 10. NEW SECTION. **260C.14B** Limitation on authority —
9 **dangerous weapons.**

10 The board of directors of a community college shall comply
11 with the requirements of section 724.8C regarding policies and
12 rules relating to the carrying, transportation, or possession
13 of dangerous weapons, as defined in section 702.7, in a
14 personal vehicle on the grounds of the community college.

15 Sec. 11. NEW SECTION. **262.9E** Limitation on authority —
16 **dangerous weapons.**

17 The state board of regents shall comply with the
18 requirements of section 724.8C regarding policies and rules
19 relating to the carrying, transportation, or possession of
20 dangerous weapons, as defined in section 702.7, in a personal
21 vehicle on the grounds of a university under the control of the
22 state board of regents.

23 Sec. 12. NEW SECTION. **724.8C** Limitation on authority —
24 **dangerous weapons — public universities and community colleges.**

25 1. The governing board of a university under the control
26 of the state board of regents as provided in chapter 262
27 or a community college under the jurisdiction of a board
28 of directors for a merged area as provided in chapter 260C
29 shall not adopt or enforce any policy or rule that prohibits
30 the carrying, transportation, or possession of any dangerous
31 weapon, as defined in section 702.7, in a locked, personal
32 vehicle on the grounds of such a college or university if the
33 dangerous weapon is not visible from outside of the vehicle
34 and such carrying, transportation, or possession is not
35 otherwise prohibited under this chapter. A governing board

1 of a university or community college shall be immune from
2 any claim, cause of action, or lawsuit by a person seeking
3 damages that are alleged, directly or indirectly, as a result
4 of any concealed dangerous weapon brought onto the grounds of
5 a university or college campus by a person pursuant to this
6 section.

7 2. Subsection 1 does not apply to any of the following:

8 a. A peace officer or other law enforcement officer who is
9 required to carry weapons.

10 b. A person specifically authorized in advance in writing
11 by the president of the university or community college
12 to possess, display, or use a weapon on the university or
13 community college property for a limited purpose consistent
14 with the university's or community college's mission. Such
15 purposes include providing campus security, including armed
16 security staff, and the use and storage of weapons as part
17 of the university's or community college's criminal justice
18 program or competitive sports shooting program sponsored by the
19 university or community college.

20 c. The possession and use of knives for the purpose of
21 cooking in housing provided or sponsored by the university
22 or college or in the university's or college's culinary arts
23 program.

24 DIVISION VI

25 INSURANCE COVERAGE — FIREARMS ON SCHOOL GROUNDS

26 Sec. 13. NEW SECTION. 515.80 Nondenial of property and
27 casualty insurance — schools.

28 1. For purposes of this section, unless the context
29 otherwise requires:

30 a. "*Authorized insurer*" means an insurer authorized by
31 the commissioner of insurance to write property and casualty
32 insurance under a certificate of authority issued by the
33 commissioner to transact insurance in this state.

34 b. "*School*" means a public or nonpublic school as defined
35 in section 280.2.

1 2. No later than December 31, 2023, the commissioner of
2 insurance shall adopt rules that prohibit an authorized insurer
3 from denying property and casualty insurance to a school
4 based solely on the presence of a person authorized under
5 section 724.4B, subsection 2, going armed with, carrying, or
6 transporting a firearm on the grounds of a school.

7 3. The rules adopted by the commissioner of insurance under
8 subsection 2 shall apply to all authorized insurers that, on or
9 after January 1, 2024, deliver, issue for delivery, continue,
10 or renew a property and casualty contract in this state for a
11 school.

12 DIVISION VII

13 GUNS IN VEHICLES ON PUBLIC HIGHWAYS

14 Sec. 14. Section 805.8B, subsection 3, paragraph q, Code
15 2023, is amended by striking the paragraph.

16 Sec. 15. REPEAL. Section 483A.36, Code 2023, is repealed.

17 Sec. 16. EFFECTIVE DATE. This division of this Act, being
18 deemed of immediate importance, takes effect upon enactment.

19 DIVISION VIII

20 CARRYING FIREARMS ON SNOWMOBILES AND ALL-TERRAIN VEHICLES

21 Sec. 17. Section 321G.13, subsection 2, Code 2023, is
22 amended to read as follows:

23 ~~2. a. A person shall not operate or ride a snowmobile with
24 a firearm in the person's possession unless it is unloaded and
25 enclosed in a carrying case, except as otherwise provided.~~

26 ~~However, a nonambulatory person may carry an uncased and
27 unloaded firearm while operating or riding a snowmobile.~~

28 ~~b. (1) A person may operate or ride a snowmobile with a
29 loaded firearm, whether concealed or not, without a permit to
30 carry weapons, if the person operates or rides on land owned,
31 possessed, or rented by the person and the person's conduct is
32 otherwise lawful.~~

33 ~~(2) A person may operate or ride a snowmobile with a loaded
34 pistol or revolver, whether concealed or not, if the person is
35 operating or riding the snowmobile on land that is not owned,~~

1 ~~possessed, or rented by the person, and the person's conduct is~~
2 ~~otherwise lawful.~~

3 ~~e.~~ A person shall not discharge a firearm while on a
4 snowmobile, except that a nonambulatory person may discharge a
5 firearm from a snowmobile while lawfully hunting if the person
6 is not operating or riding a moving snowmobile.

7 Sec. 18. Section 321I.14, subsection 2, Code 2023, is
8 amended to read as follows:

9 2. ~~a.~~ A person shall not operate or ride an all-terrain
10 vehicle with a firearm in the person's possession unless it is
11 unloaded and enclosed in a carrying case, except as otherwise
12 provided. However, a nonambulatory person may carry an uncased
13 and unloaded firearm while operating or riding an all-terrain
14 vehicle.

15 ~~b.~~ (1) A person may operate or ride an all-terrain vehicle
16 with a loaded firearm, whether concealed or not, without a
17 permit to carry weapons, if the person operates or rides on
18 land owned, possessed, or rented by the person and the person's
19 conduct is otherwise lawful.

20 (2) A person may operate or ride an all-terrain vehicle with
21 a loaded pistol or revolver, whether concealed or not, if the
22 person is operating or riding the all-terrain vehicle on land
23 that is not owned, possessed, or rented by the person, and the
24 person's conduct is otherwise lawful.

25 ~~e.~~ A person shall not discharge a firearm while on an
26 all-terrain vehicle, except that a nonambulatory person may
27 discharge a firearm from an all-terrain vehicle while lawfully
28 hunting if the person is not operating or riding a moving
29 all-terrain vehicle.

30 Sec. 19. EFFECTIVE DATE. This division of this Act, being
31 deemed of immediate importance, takes effect upon enactment.

32 DIVISION IX

33 FIREARMS ON PROPERTIES LICENSED TO CONDUCT GAMBLING GAMES OR
34 SPORTS WAGERING

35 Sec. 20. NEW SECTION. 99D.7A Limitations on rules.

1 Rules adopted pursuant to section 99D.7 shall not prohibit a
2 licensee under this chapter or chapter 99F from authorizing a
3 person to possess a firearm on the licensee's property. This
4 section does not prohibit a licensee from adopting a policy
5 limiting the possession of firearms on the licensee's property.

6 DIVISION X

7 ELIGIBILITY TO CARRY WEAPONS

8 Sec. 21. Section 724.8B, Code 2023, is amended to read as
9 follows:

10 **724.8B Persons ineligible to carry dangerous weapons.**

11 1. a. A person ~~determined to be~~ who is ineligible to
12 receive a permit to carry weapons under section 724.8,
13 subsection ~~2, 3,~~ 4, 5, or 6, a person who illegally possesses a
14 controlled substance included in [chapter 124, subchapter II](#), or
15 a person who is committing an indictable offense is prohibited
16 from carrying dangerous weapons.

17 b. A person whose most recent application for a permit
18 to carry weapons has been denied due to the person being
19 ineligible for such a permit under section 724.8, subsection 2
20 or 3, is prohibited from carrying dangerous weapons.

21 c. A person whose permit to carry weapons or permit to
22 acquire pistols and revolvers has been revoked or suspended is
23 prohibited from carrying dangerous weapons unless or until the
24 person's permit has been reinstated or the person has applied
25 for and been granted a new permit under the provisions of this
26 chapter.

27 d. Unless otherwise provided by law, a person who violates
28 this section commits a serious misdemeanor.

29 2. This section shall not be construed to prohibit the
30 otherwise lawful possession, transportation, or transfer of
31 firearms or other weapons.

32 3. a. This section shall not be construed to prohibit
33 the following persons from conducting activities listed in
34 paragraph "b" if the person is not otherwise prohibited by
35 section 724.26, federal law, or a court order from shipping,

1 transporting, possessing, or receiving a firearm:

2 (1) A person determined to be ineligible to carry dangerous
3 weapons only under section 724.8, subsection 5.

4 (2) A person whose permit to carry weapons or permit to
5 acquire pistols and revolvers has been suspended or revoked.

6 (3) A person whose application for a permit to carry weapons
7 or a permit to acquire pistols and revolvers has been denied.

8 b. A person who, pursuant to paragraph "a", is not
9 prohibited may do any of the following:

10 (1) Go armed with a dangerous weapon in the person's own
11 dwelling or place of business, or on land owned, possessed, or
12 rented by the person.

13 (2) For any lawful purpose carry an unloaded pistol,
14 revolver, or other firearm inside a closed and fastened
15 container or securely wrapped package that is too large to be
16 concealed on the person.

17 (3) For any lawful purpose carry or transport an unloaded
18 pistol, revolver, or other firearm in a vehicle or common
19 carrier inside a closed and fastened container or securely
20 wrapped package that is too large to be concealed on the person
21 or carry or transport an unloaded pistol, revolver, or other
22 firearm inside a cargo or luggage compartment where the pistol,
23 revolver, or other firearm will not be readily accessible to
24 any person riding in the vehicle or common carrier.

25 (4) Carry a firearm while the person is lawfully engaged in
26 target practice on a range designed for that purpose or while
27 actually engaged in lawful hunting.

28 (5) Carry a knife, bow, crossbow, or other implement used in
29 hunting or fishing, while actually engaged in lawful hunting
30 or fishing.

31 (6) For any lawful purpose carry a firearm while remaining
32 outside the limits of any city and the firearm is not
33 concealed.

34 (7) For any lawful purpose carry a knife, regardless of
35 whether the knife is concealed, if the length of the blade does

1 not exceed five inches.

2 Sec. 22. Section 724.15, subsection 2, paragraph d, Code
3 2023, is amended by striking the paragraph.

4 Sec. 23. Section 724.16, subsections 1 and 2, Code 2023, are
5 amended to read as follows:

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

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

21 Sec. 24. REPEAL. Section 724.31A, Code 2023, is repealed.