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PUBLIC SAFETY

HOUSE FILE 161  
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Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the sale or transfer of firearms between  
2 unlicensed persons at a gun show held on state property and  
3 providing penalties.

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

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HF 161

1 Section 1. NEW SECTION. 724.31 TRANSFER OF FIREARMS  
2 BETWEEN UNLICENSED PERSONS AT A GUN SHOW.

3 1. a. The sale, lease, or other transfer of firearms  
4 between two or more unlicensed persons at a gun show held on  
5 state property shall be conducted through a federally licensed  
6 firearm dealer on the premises of the gun show and shall  
7 comply with all applicable federal and state laws. The dealer  
8 may charge a transfer fee not to exceed ten dollars.

9 b. This subsection does not apply to the sale, lease, or  
10 other transfer of firearms where the firearm acquired is an  
11 antique firearm, a collector's item, a device which is not  
12 designed or redesigned for use as a firearm, a device which is  
13 designed solely for use as a signaling, pyrotechnic, line-  
14 throwing, safety, or similar device, or a firearm which is  
15 unserviceable by reason of being unable to discharge a shot by  
16 means of an explosive and is incapable of being readily  
17 restored to a firing condition.

18 2. An unlicensed vendor at a gun show held on state  
19 property who sells, leases, or transfers a firearm to an  
20 unlicensed person, or an unlicensed person who acquires a  
21 firearm from an unlicensed vendor without the sale, lease, or  
22 transfer conducted by a federally licensed firearm dealer,  
23 commits an aggravated misdemeanor.

24 3. An unlicensed vendor at a gun show held on state  
25 property who sells, leases, or transfers a firearm to an  
26 unlicensed person who the transferor knows or has reason to  
27 know is prohibited from possessing firearms under federal or  
28 state law commits a class "D" felony.

29 4. As used in this section, the term "gun show" means the  
30 entire premises of a event or function, including but not  
31 limited to parking areas for the event or function that is  
32 sponsored to foster, in whole or in part, the sale, lease, or  
33 other transfer at which at least one of the following applies:

34 a. Twenty-five or more firearms are offered or exhibited  
35 for sale or transfer.

1 b. Not less than three gun show vendors exhibit, sell,  
2 offer for sale, transfer, or exchange firearms.

3 EXPLANATION

4 This bill creates new Code section 724.31, relating to the  
5 sale or transfer of firearms between unlicensed persons at a  
6 gun show held on state property and providing penalties.

7 The bill provides that the sale, lease, or other transfer  
8 of firearms between two or more persons at a gun show held on  
9 state property shall be conducted through a federally licensed  
10 firearm dealer on the premises of the gun show and shall  
11 comply with all applicable federal and state laws. The bill  
12 excludes transfers involving antique firearms, collector's  
13 items, a device not designed or redesigned for use as a  
14 firearm, a device designed solely for use as a signaling,  
15 pyrotechnic, line-throwing, safety, or similar device, or a  
16 firearm which is unserviceable. The bill provides that a  
17 firearm dealer may charge a transfer fee not to exceed \$10.

18 The bill further provides that an unlicensed vendor at a  
19 gun show held on state property who sells, leases, or  
20 transfers a firearm to an unlicensed person, or an unlicensed  
21 person who acquires a firearm from an unlicensed vendor  
22 without going through a federally licensed firearm dealer,  
23 commits an aggravated misdemeanor. An aggravated misdemeanor  
24 is punishable by confinement for no more than two years and a  
25 fine of at least \$500 but not more than \$5,000. An unlicensed  
26 vendor at a gun show held on state property who sells, leases,  
27 or transfers a firearm to an unlicensed person who the  
28 transferor knows or has reason to know is prohibited from  
29 possessing firearms commits a class "D" felony. A class "D"  
30 felony is punishable by confinement for no more than five  
31 years and a fine of at least \$750 but not more than \$7,500.

32 The bill further provides a definition of "gun show" to  
33 mean the entire premises of an event or function, including  
34 but not limited to parking areas for the event or function  
35 that is sponsored to foster, in whole or in part, the sale,

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1 lease, or other transfer at which either 25 or more firearms  
2 are offered or exhibited for sale or transfer, or not less  
3 than three gun show vendors exhibit, sell, offer for sale,  
4 transfer, or exchange firearms.

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