

MAR 7 2006
WAYS AND MEANS

HOUSE FILE 2688
BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 721)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the issuance of permits to carry weapons.

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

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HF 2688

1 Section 1. Section 724.7, Code 2005, is amended to read as
2 follows:

3 724.7 NONPROFESSIONAL PERMIT TO CARRY WEAPONS.

4 Any person who can reasonably justify going armed may be
5 issued a nonprofessional permit to carry weapons. Such
6 permits shall be on a form prescribed and published by the
7 commissioner of public safety, which shall be readily
8 distinguishable from the professional permit, and shall
9 identify the holder thereof, and state the reason for the
10 issuance of the permit, ~~and the limits of the authority~~
11 ~~granted by such permit.~~ All permits so issued shall be for a
12 definite period ~~as established by the issuing officer, but in~~
13 ~~no event shall exceed a period of twelve months~~ of three
14 years.

15 Sec. 2. Section 724.9, Code 2005, is amended to read as
16 follows:

17 724.9 FIREARM FIREARMS TRAINING PROGRAM PROGRAMS.

18 ~~A training program to qualify persons in the safe use of~~
19 ~~firearms shall be provided by the issuing officer of permits,~~
20 ~~as provided in section 724.11.~~

21 1. The commissioner of public safety shall establish
22 minimum standards for a training program designed to qualify
23 persons in the safe use of firearms and shall include a course
24 of instruction designed to qualify a person on a firing range.
25 The program shall include at a minimum an eight-hour course of
26 instruction. The course of instruction shall include the
27 following topics:

28 a. Firearms safety in the classroom, at home, on the
29 firing range, and while carrying the firearm.

30 b. A physical demonstration performed by the applicant
31 that demonstrates the applicant's ability to safely load and
32 unload a revolver and a semiautomatic pistol and the
33 applicant's marksmanship.

34 c. The basic principles of marksmanship.

35 d. The law relating to firearms pursuant to chapter 724.

1 e. The law relating to the justifiable use of force
2 pursuant to chapter 704.

3 f. A live fire test administered to the applicant while in
4 the presence of a qualified firearms safety instructor as
5 defined in section 724.9B of twenty rounds from a standing
6 position or its equivalent at a distance from a B-27
7 silhouette target, or an equivalent target, of seven yards.

8 2. The commissioner of public safety shall approve the
9 training program, and the county sheriff or the commissioner
10 of public safety conducting the training program within their
11 respective jurisdictions may contract with a private
12 organization or use the services of other agencies, or may use
13 a combination of the two, to provide such a training program
14 that meets the minimum standards specified in subsection 1.

15 Any person eligible to be issued a permit to carry weapons may
16 enroll in such course. A fee sufficient to cover the cost of
17 the program may be charged to each person attending.

18 Certificates of completion, on a form prescribed and published
19 by the commissioner of public safety, shall be issued by a
20 qualified firearms safety instructor subject to the

21 restrictions of section 724.9A to each person who successfully
22 completes the program. No A person shall not be issued either
23 a professional or nonprofessional permit unless the person has
24 received a certificate of completion or is a certified peace
25 officer. No A peace officer or correctional officer, except a
26 certified peace officer, shall not go armed with a pistol or
27 revolver unless the officer has received a certificate of
28 completion, provided that this requirement shall not apply to
29 ~~persons-who-are-employed-in-this-state-as-peace-officers-on~~
30 ~~January-17-1978-until-July-17-1978,~~ or to peace officers of
31 other jurisdictions exercising their legal duties within this
32 state.

33 Sec. 3. NEW SECTION. 724.9A CERTIFICATE OF COMPLETION.

34 A qualified firearms safety instructor shall not issue a
35 certificate of completion to an applicant for a permit to

1 carry weapons who fails to do any of the following:

2 1. Follow the orders of the qualified firearms safety
3 instructor or the qualified firearms safety instructor's
4 designee.

5 2. Handle a firearm in a manner that, in the judgment of
6 the qualified firearms safety instructor, poses a danger to
7 the applicant or others.

8 3. During the live fire testing portion of the training
9 program, fails to hit the silhouette portion of the targets
10 with at least eighteen rounds.

11 Sec. 4. NEW SECTION. 724.9B QUALIFIED FIREARMS SAFETY
12 INSTRUCTOR.

13 A firearms safety instructor shall be considered to be a
14 qualified firearms safety instructor if the instructor has any
15 of the following qualifications:

16 1. Is a valid firearms safety instructor certified by the
17 national rifle association holding a rating as a personal
18 protection instructor or pistol marksmanship instructor.

19 2. Submits a photocopy of a certificate of completion of a
20 firearms safety instructor course offered by a local, state,
21 or federal governmental agency.

22 3. Submits a photocopy of a certificate of completion of a
23 firearms safety instructor course approved by the department
24 of public safety.

25 4. Has successfully completed a firearms safety instructor
26 course given by or under the supervision of any state, county,
27 municipal, or federal law enforcement agency.

28 5. Is a certified police officer firearms safety
29 instructor.

30 6. Is a certified law enforcement academy firearms safety
31 instructor.

32 Sec. 5. Section 724.11, Code 2005, is amended to read as
33 follows:

34 724.11 ISSUANCE OF PERMIT TO CARRY WEAPONS.

35 1. Applications for permits to carry weapons shall be made

1 to the sheriff of the county in which the applicant resides.
2 Applications from persons who are nonresidents of the state,
3 or whose need to go armed arises out of employment by the
4 state, shall be made to the commissioner of public safety. In
5 either case, the issuance of the permit shall be by and at the
6 discretion of the sheriff or commissioner, who shall, before
7 issuing the permit, determine that the requirements of
8 sections 724.6 to 724.10 have been satisfied. However, the
9 training program requirements in section 724.9 ~~may~~ shall be
10 waived for renewal permits. If the sheriff or the
11 commissioner denies an application for a permit under this
12 section, the sheriff or commissioner shall provide a written
13 statement of the reasons for the denial.

14 2. The issuing officer shall collect a fee of ~~ten~~ thirty
15 dollars, except from a duly appointed peace officer or
16 correctional officer, for each permit issued. Renewal permits
17 or duplicate permits shall be issued for a fee of five
18 dollars. The issuing officer shall notify the commissioner of
19 public safety of the issuance of any permit at least monthly
20 and forward to the commissioner an amount equal to two dollars
21 for each permit issued and one dollar for each renewal or
22 duplicate permit issued. All such fees received by the
23 commissioner shall be paid to the treasurer of state and
24 deposited in the operating account of the department of public
25 safety to offset the cost of administering this chapter. Any
26 unspent balance as of June 30 of each year shall revert to the
27 general fund as provided by section 8.33.

28 Sec. 6. NEW SECTION. 724.11A RECIPROCITY.

29 A person possessing a valid out-of-state permit to carry a
30 weapon shall be entitled to the privileges and subject to the
31 restrictions prescribed by this chapter provided the state
32 that issued the license recognizes weapons permits issued in
33 Iowa.

34 Sec. 7. NEW SECTION. 724.13A IMMUNITY.

35 The commissioner of public safety shall not be liable for

1 damages in any civil action arising from the alleged wrongful
2 issuance, renewal, or failure to revoke a permit to carry
3 weapons provided that the commissioner acted in good faith and
4 without malice in carrying out the commissioner's official
5 duties.

6 Sec. 8. NEW SECTION. 724.21A HEARING ON DENIAL OF PERMIT
7 TO CARRY WEAPONS.

8 1. In any case where the sheriff or the commissioner of
9 public safety denies an application for a permit to carry
10 weapons, the denied applicant shall have the right to appeal
11 the denial to the commissioner of public safety within thirty
12 days of receiving written notice of the denial.

13 2. A denial of an application for a permit to carry
14 weapons may be appealed by filing with the commissioner of
15 public safety a copy of the denial and a written statement
16 that clearly states the applicant's reasons rebutting the
17 denial along with a fee of ten dollars. Additional
18 information which may be pertinent to the applicant's request
19 for a permit should also be included.

20 3. The commissioner of public safety shall grant an
21 aggrieved applicant an opportunity to be heard within forty-
22 five days of receipt of a request for an appeal. The hearing
23 may be held by telephone conference at the discretion of the
24 commissioner of public safety.

25 4. After the hearing, the commissioner of public safety
26 shall order that the denial of the application be either
27 rescinded or sustained. An applicant aggrieved by the final
28 judgment of the commissioner of public safety sustaining the
29 denial shall have the right to judicial review in accordance
30 with the terms of the Iowa administrative procedure Act,
31 chapter 17A.

32 Sec. 9. NEW SECTION. 724.21B ANNUAL REPORT -- APPEALS
33 UPON DENIAL.

34 The department shall submit a report annually no later than
35 January 31 to the members of the general assembly as provided

1 in section 7A.11 concerning appeals filed from denials of
2 permits to carry weapons. The report shall include but not be
3 limited to the number of appeals filed and the number of
4 successful and unsuccessful appeals by county, and the number
5 of applications and denials of permits to carry weapons by
6 county.

7 EXPLANATION

8 This bill relates to the issuance of weapons permits.

9 The bill provides that a nonprofessional permit to carry
10 weapons shall be issued for a three-year period and changes
11 the fee for a permit to carry weapons from \$10 to \$30.
12 Current law allows the permit to be issued for a period
13 determined by the commissioner of public safety or the sheriff
14 not to exceed one year.

15 The bill provides that if the sheriff or commissioner
16 denies an application for a concealed weapons permit, the
17 sheriff or commissioner shall provide a written statement of
18 the reasons for the denial.

19 The bill amends current law relating to a firearms training
20 program. The bill provides that the commissioner of public
21 safety shall establish minimum firearms safety standards. The
22 bill specifies that the commissioner of public safety shall
23 establish certain minimum training standards relating to the
24 qualifications of persons in the safe use of firearms and
25 shall include a course of instruction designed to qualify a
26 person on a firing range.

27 The bill provides that a qualified firearms safety
28 instructor shall issue a certificate of completion to a person
29 who successfully completes the training program, including
30 certain specific requirements relating to live fire ammunition
31 testing on a firing range. The bill specifically provides
32 that a person who does not follow the orders of the qualified
33 firearms safety instructor, handles a firearm in a manner that
34 poses a danger to the applicant or others, or who, during the
35 live fire testing portion of the training program, fails to

1 hit the silhouette portion of the targets with at least 18
2 rounds, shall not be issued a certificate of completion.
3 Under the bill, an applicant for a permit to carry weapons
4 shall not be issued a permit to carry weapons unless the
5 applicant has received a certificate of completion or is a
6 certified peace officer.

7 The bill defines a qualified firearms safety instructor as
8 a person who meets any of the following qualifications:

9 1. Is a valid firearms safety instructor certified by the
10 national rifle association holding a rating as a personal
11 protection instructor or pistol marksmanship instructor.

12 2. Submits a photocopy of a certificate of completion of a
13 firearms safety instructor course offered by a local, state,
14 or federal governmental agency.

15 3. Submits a photocopy of a certificate of completion of a
16 firearms safety instructor course approved by the department
17 of public safety.

18 4. Has successfully completed a firearms safety instructor
19 course given by or under the supervision of any state, county,
20 municipal, or federal law enforcement agency.

21 5. Is a certified police officer firearms safety
22 instructor.

23 6. Is a certified law enforcement academy firearms safety
24 instructor.

25 The bill provides that a person possessing a valid out-of-
26 state permit to carry a weapon shall be entitled to the
27 privileges and subject to the restrictions prescribed by this
28 chapter provided that the state that issued the license
29 recognizes weapons permits issued in Iowa.

30 The bill provides that the commissioner of public safety
31 shall not be liable for damages in any civil action arising
32 from the alleged wrongful issuance, renewal, or failure to
33 revoke a permit to carry weapons provided that the
34 commissioner acted in good faith and without malice in
35 carrying out the commissioner's official duties.

1 The bill further provides a right of appeal in cases where
2 the sheriff or the commissioner of public safety denies an
3 application for a permit to carry weapons. The bill provides
4 that an applicant who has been denied a permit to carry
5 weapons shall, within 30 days of receiving written notice of
6 the denial, file a copy of the denial along with a written
7 statement that states the applicant's reasons rebutting the
8 denial with a \$10 fee. The bill provides that the
9 commissioner of public safety shall grant an aggrieved
10 applicant an opportunity for a hearing within 45 days of
11 receipt of a request for an appeal, and that the hearing may
12 be held by telephone conference. After the hearing, the
13 commissioner shall order that the denial of the application be
14 either rescinded or sustained. An aggrieved applicant shall
15 have the right to judicial review in accordance with the Iowa
16 administrative procedure Act.

17 The bill further provides that the department of public
18 safety shall submit an annual report no later than January 31
19 to the members of the general assembly concerning appeals
20 filed from denials of permits to carry weapons, including the
21 number of appeals filed, both successfully and unsuccessfully,
22 by county, and the number of applications and denials of
23 permits to carry weapons by county.

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Alans
Baudler
Shultz

HSB 721

PUBLIC SAFETY

HOUSE FILE _____

SF

02688

BY (PROPOSED COMMITTEE ON
PUBLIC SAFETY BILL BY
CHAIRPERSON BAUDLER)

Passed House, Date _____

Passed Senate, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the issuance of permits to carry weapons.

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

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1 ~~granted-by-such-permit.~~ All permits so issued shall be for a
2 definite period as-established-by-the-issuing-officer,-but-in
3 no-event-shall-exceed-a-period-of-twelve-months of three
4 years.

5 Sec. 3. Section 724.8, subsection 5, Code 2005, is amended
6 to read as follows:

7 5. The ~~issuing-officer~~ commissioner of public safety
8 reasonably determines that the applicant does not constitute a
9 danger to any person.

10 Sec. 4. Section 724.9, Code 2005, is amended to read as
11 follows:

12 724.9 FIREARM FIREARMS TRAINING PROGRAM PROGRAMS.

13 ~~A-training-program-to-qualify-persons-in-the-safe-use-of~~
14 ~~firearms-shall-be-provided-by-the-issuing-officer-of-permits,~~
15 ~~as-provided-in-section-724-11-~~

16 1. The commissioner of public safety shall establish
17 minimum standards for a training program designed to qualify
18 persons in the safe use of firearms and shall include a course
19 of instruction designed to qualify a person on a firing range.
20 The program shall include at a minimum an eight-hour course of
21 instruction. The course of instruction shall include the
22 following topics:

23 a. Firearms safety in the classroom, at home, on the
24 firing range, and while carrying the firearm.

25 b. A physical demonstration performed by the applicant
26 that demonstrates the applicant's ability to safely load and
27 unload a revolver and a semiautomatic pistol and the
28 applicant's marksmanship.

29 c. The basic principles of marksmanship.

30 d. The law relating to firearms pursuant to chapter 724.

31 e. The law relating to the justifiable use of force
32 pursuant to chapter 704.

33 f. A live fire test administered to the applicant while in
34 the presence of a qualified firearms safety instructor as
35 defined in section 724.9B of twenty rounds from a standing

1 position or its equivalent at a distance from a B-27
2 silhouette target, or an equivalent target, of seven yards.

3 2. The commissioner of public safety ~~shall approve the~~
4 ~~training program, and the county sheriff or the commissioner~~
5 ~~of public safety conducting the training program within their~~
6 ~~respective jurisdictions~~ may contract with a private
7 organization or use the services of other agencies, or may use
8 a combination of the two, to provide such a training program
9 that meets the minimum standards specified in subsection 1.

10 Any person eligible to be issued a permit to carry weapons may
11 enroll in such course. A fee sufficient to cover the cost of
12 the program may be charged to each person attending.

13 Certificates of completion, ~~on a form prescribed and published~~
14 ~~by the commissioner of public safety,~~ shall be issued by a
15 qualified firearms safety instructor subject to the

16 restrictions of section 724.9A to each person who successfully
17 completes the program. No A person shall not be issued either
18 a professional or nonprofessional permit unless the person has
19 received a certificate of completion or is a certified peace
20 officer. No A peace officer or correctional officer, except a
21 certified peace officer, shall not go armed with a pistol or
22 revolver unless the officer has received a certificate of
23 completion, provided that this requirement shall not apply to
24 ~~persons who are employed in this state as peace officers on~~
25 ~~January 17, 1978 until July 17, 1978,~~ or to peace officers of
26 other jurisdictions exercising their legal duties within this
27 state.

28 Sec. 5. NEW SECTION. 724.9A CERTIFICATE OF COMPLETION.

29 A qualified firearms safety instructor shall not issue a
30 certificate of completion to an applicant for a permit to
31 carry weapons who fails to do any of the following:

32 1. Follow the orders of the qualified firearms safety
33 instructor or the qualified firearms safety instructor's
34 designee.

35 2. Handle a firearm in a manner that, in the judgment of

1 the qualified firearms safety instructor, poses a danger to
2 the applicant or others.

3 3. During the live fire testing portion of the training
4 program, fails to hit the silhouette portion of the targets
5 with at least fifteen rounds.

6 Sec. 6. NEW SECTION. 724.9B QUALIFIED FIREARMS SAFETY
7 INSTRUCTOR.

8 A firearms safety instructor shall be considered to be a
9 qualified firearms safety instructor if the instructor has any
10 of the following qualifications:

11 1. Is a valid firearms safety instructor certified by the
12 national rifle association holding a rating as a personal
13 protection instructor or pistol marksmanship instructor.

14 2. Submits a photocopy of a certificate of completion of a
15 firearms safety instructor course offered by a local, state,
16 or federal governmental agency.

17 3. Submits a photocopy of a certificate of completion of a
18 firearms safety instructor course approved by the department
19 of public safety.

20 4. Has successfully completed a firearms safety instructor
21 course given by or under the supervision of any state, county,
22 municipal, or federal law enforcement agency.

23 5. Is a certified police officer firearms safety
24 instructor.

25 6. Is a certified law enforcement academy firearms safety
26 instructor.

27 Sec. 7. Section 724.11, Code 2005, is amended to read as
28 follows:

29 724.11 ISSUANCE OF PERMIT TO CARRY WEAPONS.

30 Applications for permits to carry weapons shall be made to
31 ~~the-sheriff-of-the-county-in-which-the-applicant-resides-~~
32 ~~Applications-from-persons-who-are-nonresidents-of-the-state,~~
33 ~~or-whose-need-to-go-armed-arises-out-of-employment-by-the~~
34 ~~state,-shall-be-made-to~~ the commissioner of public safety. In
35 ~~either-case,-the~~ The issuance of the permit shall be by and-at

1 ~~the-discretion-of~~ the ~~sheriff-or~~ commissioner, who shall,
2 ~~before-issuing-the-permit,-determine-that~~ issue the permit
3 after determining the requirements of sections 724.6 to 724.10
4 have been satisfied. However, the training program
5 requirements in section 724.9 ~~may~~ shall be waived for renewal
6 permits. The ~~issuing-officer~~ commissioner shall collect a fee
7 of ~~ten thirty~~ dollars, except from a duly appointed peace
8 officer or correctional officer, for each permit issued.
9 Renewal permits or duplicate permits shall be issued for a fee
10 of five dollars. The ~~issuing-officer-shall-notify-the~~
11 commissioner of public safety shall keep a monthly record of
12 the issuance of any permit ~~at-least-monthly-and-forward-to-the~~
13 ~~commissioner-an-amount-equal-to~~ and shall collect an
14 additional fee of two dollars for each permit issued and one
15 dollar for each renewal or duplicate permit issued. All such
16 fees received by the commissioner shall be paid to the
17 treasurer of state and deposited in the operating account of
18 the department of public safety to offset the cost of
19 administering this chapter. Any unspent balance as of June 30
20 of each year shall revert to the general fund as provided by
21 section 8.33.

22 Sec. 8. NEW SECTION. 724.11A RECIPROCITY.

23 A person possessing a valid out-of-state permit to carry a
24 weapon shall be entitled to the privileges and subject to the
25 restrictions prescribed by this chapter provided the state
26 that issued the license recognizes weapons permits issued in
27 Iowa.

28 Sec. 9. Section 724.13, Code 2005, is amended to read as
29 follows:

30 724.13 REVOCATION OF PERMIT TO CARRY WEAPONS.

31 The ~~issuing-officer~~ commissioner of public safety may
32 revoke any permit to carry weapons when the ~~officer~~
33 commissioner learns that any of the conditions required for
34 the issuance of that permit as stated in sections 724.6 to
35 724.10 have ceased to exist, or when the ~~officer~~ commissioner

1 learns that that permit was improperly issued. When the
2 ~~issuing-officer~~ commissioner revokes a permit, the ~~officer~~
3 commissioner shall notify the permit holder of such revocation
4 on a form prescribed and published by the ~~commissioner-of~~
5 ~~public-safety,--and-shall-forward-a-copy-of-the-form-to-the~~
6 ~~commissioner-of-public-safety~~ commissioner's office. From the
7 time the permit holder receives notice of revocation, the
8 permit shall cease to have any force or effect. Permit
9 revocations may be reviewed by writ of certiorari.

10 Sec. 10. NEW SECTION. 724.13A IMMUNITY.

11 The commissioner of public safety shall not be liable for
12 damages in any civil action arising from the alleged wrongful
13 issuance, renewal, or failure to revoke a permit to carry
14 weapons provided that the commissioner acted in good faith and
15 without malice in carrying out the commissioner's official
16 duties.

17 EXPLANATION

18 This bill relates to the issuance of weapons permits.

19 Current law provides that a county sheriff in the county in
20 which an applicant for a weapons permit resides, or the
21 commissioner of public safety if the applicant is a
22 nonresident of the state, has discretion in determining
23 whether or not to issue a concealed weapons permit to an
24 applicant after the sheriff or the commissioner determines the
25 applicant meets certain requirements. The bill eliminates
26 that discretion and provides that the commissioner of public
27 safety and not the sheriff of the county in which the
28 applicant for a permit to carry weapons resides shall issue a
29 permit to carry weapons upon determining that the requirements
30 have been satisfied. The bill provides that the training
31 program requirements shall be waived for renewal permits.

32 The bill changes the fee for a permit to carry weapons from
33 \$10 to \$30.

34 The bill provides that a nonprofessional permit to carry
35 weapons shall be issued for a three-year period. Current law

1 allows the permit to be issued for a period determined by the
2 commissioner of public safety or the sheriff not to exceed one
3 year.

4 The bill amends current law relating to a firearms training
5 program. The bill provides that the commissioner of public
6 safety shall establish minimum firearms safety standards. The
7 bill specifies that the commissioner of public safety shall
8 establish certain minimum training standards relating to the
9 qualifications of persons in the safe use of firearms and
10 shall include a course of instruction designed to qualify a
11 person on a firing range.

12 The bill provides that a qualified firearms safety
13 instructor shall issue a certificate of completion to a person
14 who successfully completes the training program, including
15 certain specific requirements relating to live fire ammunition
16 testing on a firing range. The bill specifically provides
17 that a person who does not follow the orders of the qualified
18 firearms safety instructor, handles a firearm in a manner that
19 poses a danger to the applicant or others, or who, during the
20 live fire testing portion of the training program, fails to
21 hit the silhouette portion of the targets with at least 15
22 rounds, shall not be issued a certificate of completion.
23 Under the bill, an applicant for a permit to carry weapons
24 shall not be issued a permit to carry weapons unless the
25 applicant has received a certificate of completion or is a
26 certified peace officer.

27 The bill defines a qualified firearms safety instructor as
28 a person who meets any of the following qualifications:

29 1. Is a valid firearms safety instructor certified by the
30 national rifle association holding a rating as a personal
31 protection instructor or pistol marksmanship instructor.

32 2. Submits a photocopy of a certificate of completion of a
33 firearms safety instructor course offered by a local, state,
34 or federal governmental agency.

35 3. Submits a photocopy of a certificate of completion of a

1 firearms safety instructor course approved by the department
2 of public safety.

3 4. Has successfully completed a firearms safety instructor
4 course given by or under the supervision of any state, county,
5 municipal, or federal law enforcement agency.

6 5. Is a certified police officer firearms safety
7 instructor.

8 6. Is a certified law enforcement academy firearms safety
9 instructor.

10 The bill provides that a person possessing a valid out-of-
11 state permit to carry a weapon shall be entitled to the
12 privileges and subject to the restrictions prescribed by this
13 chapter provided that the state that issued the license
14 recognizes weapons permits issued in Iowa.

15 The bill further provides that the commissioner of public
16 safety shall not be liable for damages in any civil action
17 arising from the alleged wrongful issuance, renewal, or
18 failure to revoke a permit to carry weapons provided that the
19 commissioner acted in good faith and without malice in
20 carrying out the commissioner's official duties.

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