

## **Weapons Permits**

### PROCEDURES FOR PERMIT TO CARRY WEAPONS AND PERMIT TO PURCHASE WEAPONS

An Iowa Non-Professional Permit to Carry is valid for five years.

Application procedures for a Non-Professional Permit to Carry a weapon:

- Lyon County residents apply at the Lyon County Sheriff's Office.
- Submit a completed application form in person to the Lyon County Sheriff's Office. Forms are available on this website or we have forms available at the office.
- Submit a completed certified handgun safety training course form or military DD-214 form.
- Provide a form of picture identification.
- Applicant must be at least 21 years of age.
- Must meet all applicable requirements in Iowa Code Chapter 724.
- Pay the required \$50.00 fee for a new permit or \$25.00 fee for a renewal permit.

An Iowa Permit to Acquire is valid for one year.

Application procedures for a Permit to Acquire handguns:

- Lyon County residents apply at the Lyon County Sheriff's Office.
- Submit a completed application form in person the Lyon County Sheriff's Office. Forms are available on this website or we have forms available at the office.
- Provide a form of picture identification.
- Applicant must be at least 21 years of age.
- Must meet all applicable requirements in Iowa Code Chapter 724.
- Pay the required \$10.00 fee.

## **RESOURCES**

Iowa Firearm Laws: <https://www.legis.iowa.gov/DOCS/ACO/IC/LINC/Chapter.724.pdf>

Federal firearm Laws: <http://www.atf.gov/publications/download/p/atf-p-5300-4.pdf>

# IOWA WEAPON LAWS

## **OBTAINING WEAPON PERMITS:**

The Sheriff of your county of residence is the only person who is authorized to issue permits unless you are a non-resident of Iowa or require a permit as a result of your employment by the State of Iowa, in which case the Commissioner of the Iowa Department of Public Safety can issue permits to carry.

The Sheriff may issue both a professional and a non-professional permit to the same individual if circumstances warrant.

Iowa Sheriffs and the Commissioner of the State Department of Public Safety may impose additional requirements for permits to carry. These permits are generally valid statewide unless restricted by the issuing office.

## **TYPES OF PERMITS AVAILABLE:**

### ***Annual Permit to Acquire Pistols or Revolvers***

A permit to acquire authorizes the holder to acquire pistols and revolvers and long guns; however, this does not authorize the holder to carry a weapon. An Iowa permit to acquire pistols and revolvers shall be valid three days after the date of application and is valid for one year after the date of application (*Code of Iowa, section 724.20*) It is valid throughout the state.

### ***Nonprofessional Permit to Carry Weapons***

A nonprofessional permit to carry authorizes the permit holder to carry weapons within the restrictions of the issuing officer.

### ***Professional Permit to Carry Weapons***

A professional permit to carry authorizes the permit holder to carry weapons in connection with their employment. A professional permit is only valid while going to and from work and while actually engaged in the employment for which it was issued.

A valid professional or nonprofessional permit to carry weapons authorizes an Iowa resident to acquire firearms in the same manner as a permit to acquire.

## **CARRYING WEAPONS:**

Offensive weapons are illegal in Iowa and cannot be owned or carried by the general population. To carry a dangerous weapon concealed on or about your person, a valid permit to carry weapons is required.

- ***Offensive Weapons*** – machine guns, short barreled rifles (less than 16” in length) and shotguns (less than 18” in length or overall length less than 26”), other weapons which fire a projectile and have a barrel 6/10<sup>th</sup> of an inch or greater in diameter, bombs, grenades, mines, poison gas, rockets with more than four ounces of propellant, ballistic knives, exploding shells and similar items.
- ***Dangerous Weapons*** – devices designed primarily for use in inflicting death or injury including, but not limited to, offensive weapons, pistols, revolvers, other firearms, daggers, razors, stilettos, switchblade knives, or any knife with a blade exceeding five inches.

## **LEGALLY TRANSPORTING HANDGUNS, RIFLES & SHOTGUNS IN MOTOR VEHICLES WITHOUT A PERMIT TO CARRY:**

When a motor home is being used as a means of transportation, a permit to carry is not needed if the weapon is unloaded and in a container or package too large to be concealed on a person or inside a cargo or luggage compartment where the handgun is not readily accessible to any person in the vehicle.

When a motor home is used as a residence or place of business, no permit is required.

### **CARRYING WEAPONS – RESIDENCES, BUSINESS OWNERS AND LAND OWNERS:**

The law restricting the carrying of weapons does not apply to persons who are in their own dwelling or place of business, or to persons on land owned or possessed by them. *Dwelling* includes homes, rented apartments, and hotel/motel rooms. *Dwelling* does not include hallways, lobbies and other common areas outside apartments or hotel/motel rooms.

### **CARRYING WEAPONS – TARGET PRACTICE AND HUNTING:**

A person does not need a permit to carry while lawfully engaged in target practice on a range designed for that purpose or while actually engaged in lawful hunting.

### **BLACK POWDER FIREARMS:**

Black powder firearms (rifles, shotguns, and handguns) are defined as a dangerous weapon in the *Code of Iowa Section 702.7*. Therefore, they are considered the same as modern weapons for the purpose of permits to carry. Under federal law and state law, black powder firearms are classified as antiques. Neither permits to acquire nor federal instant checks are required.

Black powder firearms cannot be in the possession of convicted felons.

### **STUN GUNS:**

Stun guns fall under the definition of a dangerous weapon (*Code of Iowa Section 702.7*). Therefore, the permit to carry rules apply. Permits to acquire are not required, as they are not classified as firearms.

### **PAINT GUNS, AIR RIFLES, BB GUNS, LONG BOWS, AND CROSSBOWS:**

The purchase or acquisition of paint guns, air rifles, BB guns, long bows, and crossbows is not regulated by federal or state law.

### **AMMUNITION RESTRICTIONS:**

Iowa law prohibits the possession of:

- Exploding bullets (classified as offensive weapons in 724.1 and prohibited in 724.3)
- Fireball type ammunition, also known as dragon's breath (classified as offensive weapons in 724.1 and prohibited in 724.3)

### **WEAPON FREE ZONES:**

*Weapon 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. A person who commits a public offense involving a firearm or offensive weapon in a weapon free zone shall be fined twice the normal maximum amount.

### **CARRYING WEAPONS ON SCHOOL GROUNDS:**

A person who goes armed with, carries or transports a firearm of any kind, whether concealed or not, on the grounds of a public or nonpublic school commits a class "D" felony. This does not apply to a person who has been specifically authorized under the *Code of Iowa* or by the school to go armed, carry, or transport a firearm on the school grounds, including for the purpose of conducting an instructional program regarding weapons.

### **NON-CITIZEN OF THE UNITED STATES:**

A legal resident alien who has been a resident of Iowa continuously for at least 90 days is considered to be a resident of the state for the purpose of acquiring or carrying weapons. After the 90-day waiting period, a resident alien has the same rights and privileges of a US citizen.

### **NON-RESIDENTS:**

Non-residents are not eligible for permits to acquire but may make application to the Commissioner of the Iowa Department of Public Safety for permits to carry.

Iowa does not have reciprocity with any other state; therefore permits to carry issued in other states are not valid in Iowa.

### **JUVENILES AND FIREARMS:**

A loaded firearm must be secured if it is known or there is reason to believe that a minor under the age of 14 years is likely to gain access to the firearm. A loaded firearm can be secured by a trigger lock mechanism, by placing it in a securely locked box or container, or by placing it in some other location which a reasonable person would believe to be secure from a minor.

A person under the age of 18 may possess a rifle or shotgun or its ammunition for lawful use when allowed to do so by the person's parent guardian, spouse who is 18 or older, or another with the express consent of the minor's parent, guardian, or spouse who is 18 or older.

A person must be at least 18 years old to acquire a rifle or shotgun or its ammunition. A person must be at least 21 years old to acquire a handgun or its ammunition. Caliber .22 rimfire ammunition is considered as rifle ammunition.

A person between the ages of 14 and 21 may be allowed to possess a pistol or revolver or its ammunition while under the direct supervision of the person's parent, guardian, or spouse who is 21 or older, or while receiving instruction in the proper use of a handgun from an instructor who is 21 or older.

A person who is 18, 19, or 20 years old may possess a handgun or its ammunition while on military duty or while serving as a peace officer, security guard (permit to carry required), or correctional officer, when such duties require the possession of such a weapon or during instruction in its proper use from an instructor who is 21 or older.

A person must be at least 18 years old to apply for a permit to carry. However, a permit to carry that is valid for handguns cannot be issued to a person who is 18, 19, or 20 years old unless that person will be performing the duties of a peace officer, security guard or correctional officer, or while on military duty, or while under the direct supervision of a parent, guardian, or spouse who is 21 years old or older, or while receiving instruction from an instructor who is at least 21 years old with the consent of such parent, guardian, or spouse.

### **ACQUIRING AND POSSESSING FIREARMS IN IOWA:**

The acquisition and possession of firearms in Iowa are regulated by both federal and state law. All requirements must be met.

*Federal Regulations* – You may not acquire or possess a firearm if you:

- ❖ Are under indictment or have been convicted of a felony
- ❖ Are a fugitive from justice
- ❖ Are an unlawful user of or are addicted to any controlled substances
- ❖ Have been adjudicated as a mental defective or have been committed to a mental institution
- ❖ Are an illegal alien
- ❖ Have been discharged from the Armed Forces under dishonorable conditions
- ❖ Have renounced your US citizenship
- ❖ Are subject to a court order that restrains you from harassing, stalking, or threatening your intimate partner, your child, or the child of your intimate partner
- ❖ Have been convicted in any court of a misdemeanor crime of domestic violence or any misdemeanor crime resulting from domestic violence

*Iowa Regulations* – Iowa law contains additional minimum requirements for permits to carry and permits to acquire. You do not qualify if you:

- ❖ Are under the age of 18 for permit to carry or under the age of 21 for permit to acquire (see **Juvenile and Firearms** for further)
- ❖ Are addicted to the use of alcohol or any controlled substance
- ❖ Have a history of repeated acts of violence
- ❖ Constitutes a danger to any person as determined by the issuing officer (permit to carry)
- ❖ Have ever been convicted of any of the following in chapter 708 of the *Code of Iowa*:
  - Domestic abuse
  - Hate crime
  - Assault on a peace officer, fire fighter, or health care provider
  - Setting a spring gun or trap
  - Hazing
  - Stalking

Iowa Sheriffs and Commissioner of the Iowa Department of Public Safety may impose additional requirements for permits to carry.

### **BUYING OR ACQUIRING FIREARMS:**

The Gun Control Act of 1968 and the Brady Handgun Control Act requires that persons must meet certain requirements before taking possession of firearms from federally licensed firearms dealers. These are listed in the section entitled *Acquiring and Possessing Firearms in Iowa*. A background check through the National Instant Check System (NICS) is required to ensure that these qualifications are met.

#### *Rifles and Shotguns:*

If a federally licensed dealer runs a NICS check prior to the sale of a rifle or shotgun and the person is disqualified, the dealer will be told to deny the sale but will not be told the reason. If the person believes the denial to be in error and wants to appeal, this can be done on forms available through the dealer.

Under federal law, if a person has a valid Iowa permit to acquire or permit to carry, a federally licensed dealer may transfer a firearm to the permit holder without running a NICS check.

#### *Handguns:*

Iowa law also requires a person to have a valid Iowa permit to acquire or permit to carry before acquiring a handgun. This applies to both dealer sales and private transactions. A handgun may generally be transferred from one family member to another with a permit as long as the person receiving the handgun meets the state and federal requirements for possession.

#### *Ammunition:*

A person must be at least 18 years old to acquire ammunition for a rifle or shotgun, and must be at least 21 years old to acquire ammunition for handgun. Caliber .22 rimfire ammunition is considered as rifle ammunition.