



SHERIFF

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On Jan. 1, 2011, significant changes to Iowa weapons permit law will take effect. Under the new law, Iowa sheriffs must issue weapons carry permits to applicants who meet certain criteria. This is a departure from current law, which grants Iowa sheriffs extremely broad discretion in issuing weapons carry permits.

Though the new criteria to obtain a weapons carry permit are somewhat complex, in summary, the law specifies that a person who has fulfilled certain training requirements and who is not disqualified from receiving a permit must be issued a permit. Disqualifications specified in the law include a felony conviction, a misdemeanor crime of domestic violence conviction, a misdemeanor assault conviction within the past three years (other than domestic violence assault), drug or alcohol addiction, involuntary committal for serious mental impairment, or documented evidence indicating that the person is likely to use a firearm to endanger themselves or others. All applicants for both renewal and new permit issuance must pass a federal background check commonly known as a "NICS check".

Information recently appeared in local newspapers that contained inaccuracies about the new law, particularly in regard to training requirements. The new law is clear in specifying that a person applying to renew a currently held permit must submit the renewal application at least 30 days prior to the expiration of the current permit. A person wishing to renew a current permit is required to have received any one of several training options within the twelve months prior to the expiration date of the currently held permit, or, the applicant has the option of simply qualifying on a firing range under the supervision of a certified instructor within the twelve months before the expiration of the current permit. The renewal fee is \$25 and the permit is valid for five years from the date of issuance.

An applicant for a new permit must present evidence of having completed any one of several training options at any time prior to the date of application. In many cases, a training course that a person took in the past may have included qualification on a firing range, but qualification on a range is not a requirement to obtain a new permit – it is only an option for someone wishing to renew a permit. If, for example, many years ago, a person completed any one of the training options specified in the law, that training can be presented to obtain a new permit. The fee for a new permit is \$50 and the permit is valid for five years from the date of issuance.

If a person who currently holds a permit does not wish to attend additional training or qualify on a firing range to renew the permit at the lower fee, a person could submit an application for a new permit less than 30 days before the expiration of the current permit or after the expiration of the current permit, in which case the application will be considered a new permit application. Documentation of completion of any of the training options listed in the law, regardless of when the training occurred, will satisfy the requirements of the law, and the new permit fee of \$50 will apply.

Possessing and carrying a firearm carries risks and responsibilities. I encourage all applicants for weapons carry permits to attend a high quality training program, qualify on a firing range, or both. After obtaining a carry permit, I encourage carry permit holders to maintain their skills by periodically firing their weapon on a firing range, and also encourage carry permit holders to stay current on laws that pertain to weapons, liability, use of force, and other critical topics, even if not required to do so by law. The new law allows applicants numerous options to obtain new training (for renewal or for a new permit), to qualify on a range (for renewal only), or use prior training (for new permits only) to satisfy minimum

requirements that will apply statewide. For those who wish to renew their permit by attending a training course or qualifying on a range, Iowa law provides the reduced fee (\$25, instead of the \$50 for a new permit), which may help offset the cost of training or qualifying. For those who wish to use prior training, the option of submitting a new permit application based upon prior training remains available.

Under the new law, whether an applicant chooses to renew by training or qualifying (or both), or chooses to submit a new application that includes documentation of training that has occurred at any time prior to application, the applicant cannot be made to attend a particular course or use a particular instructor.

For a new permit, training must be any of the following (regardless of when it occurred): Any National Rifle Association (NRA) handgun safety training course; 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 certain other firearms training certifying bodies (such as the Iowa Law Enforcement Academy); 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 (this category of courses is the only category that must be approved by the Iowa Department of Public Safety); Small arms training while serving with the armed forces of the United States; Completion of a law enforcement agency firearms training course that qualifies a peace officer to carry a firearm.

For a renewal permit, any of the above training is acceptable if it is completed within the twelve months prior to the expiration of the current permit, or an applicant can qualify on a firing range under the supervision of an instructor certified by the NRA or ILEA.

In preparation for the implementation of the new law Jan. 1, 2011, the Iowa Department of Public Safety has developed new applications forms, which have been finalized and submitted for printing. The forms will be distributed to sheriff's offices across the state as soon as printing is complete.

Any person wishing to obtain more information about the new law can view "Frequently Asked Questions" on the Iowa Department of Public Safety's website at:
http://www.dps.state.ia.us/asd/SF2379_FAQ.pdf



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