

Governor to Sign Issuance of Weapons Bill

On April 29, Governor Culver will sign Senate File 2379, which is commonly referred to as the “shall issue” bill. The bill was passed by a bipartisan vote, and standardizes the way that sheriffs in all 99 counties issue or deny permits to carry weapons.

Under the bill, which goes into effect January 1, 2011, county sheriffs will have 30 days to either approve or deny an application to carry a weapon. If the sheriff doesn’t take action on the application within 30 days, the application is automatically approved. If an application is denied, the bill allows the person to seek relief by appealing to an administrative law judge in the Department of Inspections and Appeals. Under current law, applicants seeking relief can only file in district court, which is costly and might require an attorney.

Senate File 2379 will no longer allow the sheriff to waive training requirements for applicants, and instead will require applicants to take an approved training course in order to receive a permit for the first time. In the bill, a person seeking to renew their permit must either qualify on the firing range or take an approved training course.

Disqualifications for seeking a permit, or to have an existing permit revoked, are the same as under federal law. Included in those disqualifications are involuntary mental health committals; felony convictions, including domestic abuse; and permanent protective orders. A sheriff can disqualify if probable cause exists that the applicant had at least one incident in the past two years that makes the applicant more likely to use the weapon unlawfully.