

# Standardizing Weapons Permits

After years of discussion, lawmakers overwhelmingly approved a bill to standardize the way sheriffs in all 99 counties issue or deny permits to carry weapons, as well as training standards.

Often referred to as the “shall issue” bill, beginning on 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 new law allows an applicant to seek relief by appealing to a state administrative law judge in the Department of Inspections and Appeals. Previously, applicants seeking relief could only file in district court, which is costly and might require an attorney.

Senate File 2379, which was signed by Governor Culver, will no longer allow the sheriff to waive training requirements for applicants, and instead requires applicants to take an approved training course in order to receive a permit for the first time. 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.

The Iowa Legislature also took action on another weapons bill this year that will keep guns out of the hands of domestic abusers.