

**House File 164 - Introduced**

HOUSE FILE 164

BY HUNTER, WESSEL-KROESCHELL,  
LENSING, STECKMAN,  
ANDERSON, ABDUL-SAMAD, and  
MASCHER

**A BILL FOR**

1 An Act relating to the sale or transfer of firearms, providing  
2 penalties, and including applicability provisions.

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

1 Section 1. NEW SECTION. 724.32 Sale or transfer of firearms  
2 — criminal history background check.

3 1. A person shall not sell or transfer a firearm to another  
4 person without receiving verification from a federally licensed  
5 firearms dealer that information on the prospective purchaser  
6 or transferee has been submitted to the department of public  
7 safety for a criminal history background check and that a  
8 determination has been received by the department of public  
9 safety that the prospective purchaser or transferee is not  
10 prohibited under either state or federal law from possessing a  
11 firearm. A criminal history background check conducted under  
12 this section shall include an inquiry of the national instant  
13 criminal background check system maintained by the federal  
14 bureau of investigation.

15 2. A person who sells or transfers a firearm in violation of  
16 this section is guilty of an aggravated misdemeanor.

17 3. A federally licensed firearms dealer may charge and  
18 collect fees for obtaining criminal history record information  
19 checks on behalf of sellers or transferors.

20 4. The department of public safety shall adopt rules  
21 pursuant to chapter 17A as necessary to carry out the  
22 provisions of this section.

23 Sec. 2. APPLICABILITY. This Act applies to the sale or  
24 transfer of firearms on or after July 1, 2013.

25 EXPLANATION

26 This bill relates to the sale or transfer of firearms,  
27 provides penalties, and includes applicability provisions.

28 The bill prohibits a person from selling or transferring a  
29 firearm to another person without receiving verification from  
30 a federally licensed firearms dealer that information on the  
31 prospective purchaser or transferee has been submitted to the  
32 department of public safety for a criminal history background  
33 check and that a determination has been received by the  
34 department of public safety that the prospective purchaser or  
35 transferee is not prohibited under either state or federal law

1 from possessing a firearm. A criminal history background check  
2 under the bill includes an inquiry of the national instant  
3 criminal background check system maintained by the federal  
4 bureau of investigation.

5 The bill provides that a person who sells or transfers a  
6 firearm in violation of this Code section is guilty of an  
7 aggravated misdemeanor, punishable by confinement for no more  
8 than two years and a fine of at least \$625 but not more than  
9 \$6,250.

10 The bill provides that a federally licensed firearms dealer  
11 may charge and collect fees for obtaining criminal history  
12 record information checks on behalf of sellers and transferors  
13 and the department of public safety shall adopt rules pursuant  
14 to Code chapter 17A as necessary to carry out the provisions  
15 of the bill.

16 The bill applies to the sale or transfer of firearms on or  
17 after July 1, 2013.