

SUMMARY OF SIX DANGEROUS FIREARMS BILLS IN THE IOWA GENERAL ASSEMBLY

SJR18 and HJR13 Constitutional Amendment Joint Resolutions SF165, HF118, HF456, HF385 Permit-less Carry bills

Among the many firearms legislation in the Iowa General Assembly, there are six bills that are especially jeopardizing to the health and safety of Iowans. These bills would 1) add a gun rights amendment to the Iowa Constitution and 2) introduce permit-less carry of handguns to Iowa.

The right to bear arms as found in our Constitution must be balanced against the safety and well-being of our communities.

Weapons increasingly capable of inflicting great suffering in a short period of time are already too accessible.

Constitutional Amendment Bills

SJR18 (Formerly SJR10) and HJR 13 (formerly HJR3), *A joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the right of the people to keep and bear arms.*

Over 40 state constitutions address the right of citizens to possess arms, as also secured by the Second Amendment to the US Constitution. We do not oppose adding this right to the Iowa Constitution. In fact, we can support a copy of the Second Amendment being added to the Iowa Constitution.

SJR18 and HJR13, however, go far beyond the right to bear arms; broader than the Second Amendment of the US specifically by including the concept of “**strict scrutiny**.” Forty-one state constitutions that address the right to bear arms do not include strict scrutiny, and for good reasons.

Strict scrutiny language would enshrine in our constitution the requirement that courts must weigh in favor of the constitutional right over **other compelling interests** when making a decision. To quote the proposed amendment, “any and all restrictions of this right shall be subject to strict scrutiny.”

- Strict scrutiny would make it virtually impossible to enact gun safety legislation in Iowa and would threaten policies that exist if this proposed amendment is included in our constitution.
- It ties the hands of future legislators from enacting even modest safety legislation.
- It opens the door to countless lawsuits over current Iowa firearm regulations with the potential to dismantle laws that most Iowans support. For example, Iowa law currently requires people convicted of domestic violence or under domestic restraining orders to surrender weapons. This law could be challenged.
- It threatens local autonomy about guns. For example, if a church wished to keep them off the premises.
- By a rate of 2 to 1, Iowans oppose this proposed amendment (<https://everytown.org/documents/2019/02/iowa-polling.pdf>).
- Only three other states have included “strict scrutiny” language in their gun rights amendments: Louisiana, Mississippi and Alabama.

“Permit-less Carry” Bills

SF165 and HF118 *A bill for an act relating to carrying and possessing weapons and acquiring pistols and revolvers, providing penalties, and including applicability provisions.*

HF456 *An Act relating to the carrying and possession of weapons and acquiring pistols and revolvers, and providing penalties.*

HF385 *A bill for an act concerning the carrying and possession of weapons and the acquiring of pistols and revolvers, providing penalties, and including effective date provisions.*

The bills remove the requirement for an individual to carry a valid state permit to purchase or conceal carry handguns.

- The bills, if passed, would **eliminate training requirements** to use a handgun.
- Permitting is not a burden and is required for many activities such as driving or fishing.
- The cost of a permit is inexpensive; to purchase is \$25.00 and the permit to carry is \$50.00—it lasts for 5 years and may be renewed for \$25.00.
- Handguns, in particular, cause the most death and injury and are the weapons most prevalent in gun violence incidents, especially suicide.
By a wide margin American support requiring permits to purchase or carry handguns, and **9 in 10 Iowa gun owners oppose permit-less carry** (<https://everytown.org/documents/2019/02/iowa-polling.pdf>).