

2018 Regular Session

HOUSE BILL NO. 602

BY REPRESENTATIVE MIGUEZ AND SENATOR RISER

WEAPONS/FIREARMS: Provides relative to the carrying of a concealed handgun at a school

1 AN ACT

2 To enact R.S. 14:95.2(C)(9) and R.S. 40:1379.3(X) and to repeal R.S. 40:1379.3(N)(11),
3 relative to concealed handgun permits; to provide relative to the carrying of a
4 concealed handgun into any school, school campus, or school bus; to provide relative
5 to the authority of a concealed handgun permittee who is a teacher, administrator,
6 student, or employee of a school; to provide relative to the authority of a school to
7 regulate the carrying of firearms in certain venues and facilities of the institution; to
8 provide an exception to the crime which prohibits the carrying of a firearm on school
9 property by certain concealed handgun permit holders; and to provide for related
10 matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 14:95.2(C)(9) is hereby enacted to read as follows:

13 §95.2. Carrying a firearm or dangerous weapon by a student or nonstudent
14 on school property, at school-sponsored functions, or in a firearm-
15 free zone

16 * * *

17 C. The provisions of this Section shall not apply to:

18 * * *

Present law provides that a concealed handgun permit does not authorize nor entitle the permit holder to carry a concealed handgun in certain places, including into a school, school campus, or a school bus.

Proposed law repeals this present law exception relative to schools, school campuses, or school buses, but provides that if the concealed handgun permittee is a teacher, administrator, or employee of any school acting within the course and scope of his employment, or is a student of any school, the provisions of present and proposed law shall not be construed to authorize the teacher, administrator, employee, or student of the school to carry a concealed handgun into any school, school campus, or school bus unless specifically authorized to do so by law.

Further provides that nothing in proposed law limits the authority of a school board or a school to prohibit a person from carrying a firearm, or to regulate the carrying of a firearm, in certain venues or facilities within the school district or an individual school unless the person is otherwise authorized to do so by law.

Proposed law provides that a school board or school shall be absolutely immune from claims for monetary damages arising from or related to a visitor's use or failure to use a firearm.

Present law provides for a crime which prohibits the carrying of a firearm or dangerous weapon by a student or nonstudent on school property, at school-sponsored functions, or in a firearm free zone, and further provides for specific exceptions to this offense.

Proposed law retains present law but adds an exception for any person who has a valid concealed handgun permit issued pursuant to present law who carries a concealed handgun in accordance with the provisions of proposed law.

(Adds R.S. 14:95.2(C)(9) and R.S. 40:1379.3(X); Repeals R.S. 40:1379.3(N)(11))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Add that the provisions of proposed law do not authorize a student of the school to carry a concealed handgun into any school, school campus, or school bus unless specifically authorized to do so by law.
2. Add that proposed law does not limit the authority of the school to prohibit or regulate the carrying of firearms by a person in certain venues and facilities of the school, unless the person is otherwise authorized to do so by law.

The House Floor Amendments to the engrossed bill:

1. Add an exception to the crime which prohibits the carrying of a firearm or a dangerous weapon on school property, at school-sponsored functions, or in a firearm-free zone for any person who has a valid concealed handgun permit and who carries a concealed handgun in accordance with the provisions of proposed law.
2. Add that nothing in proposed law limits the authority of a school board to prohibit a person from carrying a firearm, or to regulate the carrying of a firearm, in certain venues or facilities within the school district.

3. Add that a school board or school shall be absolutely immune from claims for monetary damages arising from or related to a visitor's use or failure to use a firearm.