

Regular Session, 2013

HOUSE BILL NO. 45

BY REPRESENTATIVES LOPINTO, ADAMS, STUART BISHOP, BROADWATER, BURFORD, TIM BURNS, CARMODY, CHAMPAGNE, CROMER, DOVE, GAROFALO, GISCLAIR, GUINN, HARRISON, HAZEL, HENRY, HENSGENS, HOFFMANN, IVEY, KLECKLEY, NANCY LANDRY, LEOPOLD, LORUSSO, MACK, JAY MORRIS, JIM MORRIS, PEARSON, PYLANT, SCHRODER, SEABAUGH, SIMON, TALBOT, THIBAUT, THOMPSON, WHITNEY, AND WILLMOTT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

WEAPONS/FIREARMS: Creates the La. Manufactured Firearms and Ammunition Act

1 AN ACT

2 To enact Part V of Chapter 9 of Title 40 of the Louisiana Revised Statutes of 1950, to be  
3 comprised of R.S. 40:1821 through 1833, relative to the regulation of firearms; to  
4 create the Louisiana Manufactured Firearms and Ammunition Act; to provide for the  
5 issuance of a license to sell or manufacture Louisiana firearms, firearm accessories,  
6 and ammunition; to provide for qualifications for manufacturers and dealers; to  
7 provide for applicability; to provide for licensing fees; to create the Louisiana  
8 Manufactured Firearms and Ammunition Fund; to provide for the use of monies  
9 deposited into that fund; to provide criteria for purchasing a Louisiana manufactured  
10 firearm; to provide for the seizure and forfeiture of certain firearms; to provide for  
11 criteria for Louisiana firearms manufacturing facilities; to provide for rulemaking;  
12 to provide for definitions; to provide the interpretation of statutory construction; to  
13 provide for appeals of decisions of the department; and to provide for related  
14 matters.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. Part V of Chapter 9 of Title 40 of the Louisiana Revised Statutes of 1950,  
17 comprised of R.S. 40:1821 through 1833, is hereby enacted to read as follows:

1 PART V. LOUISIANA MANUFACTURED FIREARMS AND AMMUNITION2 §1821. Short title

3 This Part shall be known and may be cited as the "Louisiana Manufactured  
4 Firearms and Ammunition Act".

5 §1822. Legislative findings

6 (1) The Louisiana Legislature recognizes the authority of the United States  
7 Congress to regulate matters of commerce between states, and also recognizes that  
8 Article VI, Section 2 of the Constitution of the United States proclaims that such  
9 laws made under the authority of the United States shall be the supreme law of the  
10 land.

11 (2) The Tenth Amendment of the Constitution of the United States provides  
12 that, "[t]he powers not delegated to the United States by the Constitution, nor  
13 prohibited by it to the States, are reserved to the States respectively, or to the  
14 people."

15 (3) The Ninth Amendment of the Constitution of the United States provides  
16 that, "[t]he enumeration in the Constitution, of certain rights, shall not be construed  
17 to deny or disparage others retained by the people."

18 (4) In the absence of a constitutional prohibition, or a specific delegation of  
19 authority to the United States government, all regulation of intrastate commerce is  
20 expressly reserved to the authority of the states.

21 (5) The Second Amendment of the Constitution of the United States provides  
22 that, "[a] well regulated Militia, being necessary to the security of a free State, the  
23 right of the people to keep and bear Arms, shall not be infringed."

24 (6) Article I, Section 11 of the Constitution of Louisiana provides that, "The  
25 right of each citizen to keep and bear arms is fundamental and shall not be infringed.  
26 Any restriction on this right shall be subject to strict scrutiny."

27 (7) The state of Louisiana has a compelling interest in protecting and  
28 preserving the fundamental rights of its citizens to keep and bear arms. The

1 provisions of this Part are intended to preserve and protect the right to keep and bear  
2 arms within the borders of the state of Louisiana.

3 (8) It is the express intention of the Louisiana Legislature that the provisions  
4 of this Part shall provide for the manufacturing and sales of certain firearms, firearm  
5 accessories, and ammunition which are manufactured solely within the borders of the  
6 state of Louisiana.

7 (9) The Louisiana Legislature declares that the provisions of this Part are  
8 deemed to be matters of intrastate commerce and are not subject to federal regulation  
9 through regulation of commerce between the states.

10 §1823. Definitions

11 A. For the purposes of this Part, the following terms shall have the following  
12 meanings:

13 (1) "Department" means the Department of Public Safety and Corrections.

14 (2) "Key firearm components" means the essential components of a firearm,  
15 including but not limited to the barrel, trigger, sear, striker, receiver, bolt, and  
16 magazine.

17 (3) "Louisiana firearms dealer" means any person who has been issued a  
18 dealer's license as provided for in this Part and is engaged in this state in the business  
19 of selling any Louisiana manufactured firearm, firearm accessories, or ammunition.

20 (4) "Louisiana firearms manufacturer" means any person who has been  
21 issued a manufacturer's license as provided for in this Part and is engaged in this  
22 state in the business of manufacturing any Louisiana manufactured firearm, firearm  
23 accessories, or ammunition.

24 (5) "Louisiana manufactured" means creating a firearm, a firearm accessory,  
25 or ammunition from basic components for functional usefulness, including but not  
26 limited to machining, milling and turning, anodizing and plating, grinding, stamping,  
27 assembly and finishing, or other processes for working materials manufactured  
28 within the state of Louisiana pursuant to the provisions of this Part.

1           (6) "Louisiana manufactured ammunition" means any projectiles with their  
2           fuses, propelling charges, or primers fired from any firearm which are manufactured  
3           in Louisiana pursuant to the provisions of this Part.

4           (7) "Louisiana manufactured firearm" means any pistol, revolver, rifle,  
5           shotgun, machine gun, or submachine gun, which is designed to fire or is capable of  
6           firing fixed cartridge ammunition or from which shot or a projectile is discharged by  
7           an explosive and which is manufactured within the state of Louisiana pursuant to the  
8           provisions of this Part. "Firearm" shall not include machine guns or other firearms  
9           defined and regulated by the provisions of Part I or Part II of Chapter 9 of Title 40  
10           of the Louisiana Revised Statutes of 1950.

11           (8) "Louisiana manufactured firearm accessories" means items that are used  
12           in conjunction with or mounted upon a firearm but are not essential to the basic  
13           function of a firearm, including but not limited to telescopic or laser sights,  
14           magazines, flash or sound suppressors, folding or aftermarket stocks and grips,  
15           ammunition carriers, and lights for target illumination which are manufactured in  
16           Louisiana pursuant to the provisions of this Part.

17           (9) "Louisiana manufacturing firearms facility" is a facility which has been  
18           issued a permit for the production of Louisiana manufactured firearms, firearm  
19           accessories, and ammunition.

20           (10) "Non-key firearm components" includes but is not limited to springs,  
21           screws, nuts, and pins.

22           §1824. License to sell Louisiana firearms, firearm accessories, or ammunition;  
23           qualifications for licensure

24           A. No person shall sell Louisiana manufactured firearms, Louisiana  
25           manufactured firearm accessories, or Louisiana manufactured ammunition without  
26           having first been issued a license by the department to sell Louisiana manufactured  
27           firearms, firearm accessories, or ammunition.

28           B. The holder of a Louisiana firearms dealer's license issued pursuant to the  
29           provisions of this Section shall authorize the holder of that license to sell Louisiana

1 manufactured firearms, firearm accessories, and ammunition pursuant to the  
2 provisions of this Part.

3 C. The holder of a Louisiana firearms dealer's license issued pursuant to the  
4 provisions of this Section shall maintain records of the shipment, receipt, sale, or  
5 other disposition or acquisition of Louisiana manufactured firearms, firearm  
6 accessories, and ammunition at his place of business for such period, and in such  
7 form, as the department requires through rules adopted pursuant to the provisions of  
8 R.S. 40:1826.

9 D. To qualify for a license to sell Louisiana manufactured firearms, firearm  
10 accessories, or ammunition, a person shall:

11 (1) Make sworn application to the deputy secretary of public safety services  
12 of the department. The submission of false or misleading information on the  
13 application or any documents submitted with the application shall be grounds for the  
14 denial or revocation of a Louisiana firearm dealer's license. Additionally, any  
15 applicant who provides false or misleading information shall be fined not more than  
16 two thousand dollars.

17 (2) Be a resident of the state.

18 (3) Be twenty-one years of age or older.

19 (4) Not suffer from a mental or physical infirmity due to disease, illness, or  
20 condition which prevents the safe handling of a firearm.

21 (5) Not be ineligible to possess a firearm by virtue of having been convicted  
22 of a felony.

23 (6) Not have been committed, either voluntarily or involuntarily, for the  
24 abuse of a controlled dangerous substance, as defined by R.S. 40:961 and 964, or  
25 been found guilty of, or entered a plea of guilty or nolo contendere to a misdemeanor  
26 under the laws of this state or similar laws of any other state relating to a controlled  
27 dangerous substance within a five-year period immediately preceding the date on  
28 which the application is submitted, or be presently charged under indictment or a bill  
29 of information for such an offense.

1           (7) Not chronically and habitually use alcoholic beverages to the extent that  
2           his normal faculties are impaired. It shall be presumed that an applicant chronically  
3           and habitually uses alcoholic beverages to the extent that his normal faculties are  
4           impaired if the applicant has been found guilty of, or entered a plea of guilty or nolo  
5           contendere to operating a vehicle while intoxicated, or has been admitted, either  
6           voluntarily or involuntarily, for treatment as an alcoholic, within the five-year period  
7           immediately preceding the date on which the application is submitted, or at any time  
8           after the application has been submitted.

9           (8) Not have entered a plea of guilty or nolo contendere to or been found  
10          guilty of a crime of violence as defined in R.S. 14:2(B).

11          (9) Not have been convicted of, have entered a plea of guilty or nolo  
12          contendere to, or not be charged under indictment or a bill of information for any  
13          crime of violence or any crime punishable by imprisonment for a term of one year  
14          or greater. A conviction, plea of guilty, or plea of nolo contendere under this  
15          Paragraph shall include an expungement of such conviction or a dismissal and  
16          conviction set-aside under the provisions of Code of Criminal Procedure Article 893.

17          (10) Not be a fugitive from justice.

18          (11) Not be an unlawful user of, or addicted to, marijuana, depressants,  
19          stimulants, or narcotic drugs.

20          (12) Not have been adjudicated to be mentally deficient or been committed  
21          to a mental institution.

22          (13) Not be an illegal alien in the United States.

23          (14) Not have been discharged from the Armed Forces of the United States  
24          with a discharge characterized as "Under Other than Honorable Conditions", a "Bad  
25          Conduct Discharge", or a "Dishonorable Discharge". In the case of Commissioned  
26          Officers and Warrant Officers of the United States Armed Forces, the punishment  
27          of "Dismissal" rendered subject to a verdict of "guilty" at a trial by military court-  
28          martial is deemed to be disqualifying under this Paragraph. For the purposes of this  
29          Paragraph, the United States Coast Guard is considered an armed force.

1           (15) Not be ineligible to possess a firearm under 18 U.S.C. 922(g).

2           (16) Not have had a license denied within one year prior to the most recent  
3 application.

4           (17) Not have had a license revoked within four years prior to the most  
5 recent application.

6           (18) Be likely to conduct business as authorized by this Part in complete  
7 compliance with the provisions of this Part.

8           (19) Meet any other criteria provided for by rules adopted by the department  
9 pursuant to R.S. 40:1826.

10           E. The department shall not be required to issue a license to sell Louisiana  
11 firearms, firearm accessories, or ammunition pursuant to the provisions of this  
12 Section until it has issued a manufacturing license pursuant to the provisions of R.S.  
13 40:1825 and has adopted rules pursuant to the provisions of R.S. 40:1826 to  
14 implement the provisions of this Section.

15           §1825. License to manufacture Louisiana manufactured firearms, firearm  
16 accessories, and ammunition; qualifications for licensure

17           A. No person shall manufacture a Louisiana manufactured firearm, firearm  
18 accessory, or ammunition without having first been issued a license to manufacture  
19 Louisiana manufactured firearms, firearm accessories, or ammunition issued by the  
20 department.

21           B. To qualify for a license to manufacture Louisiana manufactured firearms,  
22 firearm accessories, or ammunition, a Louisiana resident shall:

23           (1) Make sworn application to the deputy secretary of public safety services  
24 of the department and meet the criteria for licensing provided for in R.S. 40:1824(D)  
25 and in rules adopted pursuant to the provisions of R.S. 40:1826. The submission of  
26 false or misleading information on the application or any documents submitted with  
27 the application shall be grounds for the denial or revocation of a Louisiana firearm  
28 dealer's license. Additionally, any applicant who provides false or misleading  
29 information shall be fined not more than two thousand dollars.

1           (2) Include with the application a detailed description of the types of  
2           Louisiana manufactured firearms, firearm accessories, or ammunition the licensee  
3           intends to manufacture.

4           C. The department shall inspect the facility where the Louisiana  
5           manufactured firearms, firearm accessories, or ammunition will be manufactured and  
6           determine all of the following:

7           (1) That the facility has the capacity to provide for the secure storage of  
8           Louisiana manufactured firearms, firearm accessories, and ammunition.

9           (2) That the facility has sufficient means to ensure that the licensee can  
10          provide adequate inventory accountability to the department.

11          D. The holder of a Louisiana firearms manufacturer's license issued pursuant  
12          to the provisions of this Part shall authorize the holder of that license to manufacture  
13          firearms, firearm accessories, and ammunition in Louisiana pursuant to the  
14          provisions of this Part.

15          E. The holder of a Louisiana firearms manufacturer's license issued pursuant  
16          to the provisions of this Part shall maintain records of the manufacture, shipment,  
17          receipt, sale, or other disposition or acquisition of Louisiana manufactured firearms,  
18          firearm accessories, and ammunition at his place of business for such period, and in  
19          such form, as the department requires through rules adopted pursuant to the  
20          provisions of R.S. 40:1826.

21          F. The provisions of this Section shall not be construed or interpreted to  
22          require that any federally licensed manufacturer of firearms which is domiciled in  
23          the state of Louisiana obtain a license to manufacture firearms as provided for in this  
24          Section unless it chooses to avail itself of the provisions of this Part.

25          §1826. Rulemaking authority

26          A. The department shall adopt rules to implement the provisions of this Part.

27          B. All rules shall be adopted pursuant to the Administrative Procedure Act.



1           C. Any rules adopted pursuant to the provisions of this Section shall be  
2           subject to legislative oversight by the House Committee on the Administration of  
3           Criminal Justice and the Senate Committee on Judiciary C.

4           §1827. Fees

5           A.(1) The department shall assess a fee not to exceed one thousand dollars  
6           for a license to manufacture Louisiana manufactured firearms, firearm accessories,  
7           or ammunition.

8           (2) The department shall assess a fee not to exceed two hundred dollars for  
9           a license to sell Louisiana manufactured firearms, firearm accessories, or  
10           ammunition.

11           (3) All fees shall be submitted with the application to cover the  
12           administrative costs of the investigation, inspection, and other services required to  
13           process and issue the license or permit.

14           (4) The term of the licenses authorized by the provisions of this Part shall be  
15           two years.

16           B. Fees received by the department as authorized in this Section and fines  
17           collected pursuant to this Part shall be deposited immediately upon receipt into the  
18           state treasury.

19           C. After compliance with the requirements of Article VII, Section 9(B) of  
20           the Constitution of Louisiana relative to the Bond Security and Redemption Fund,  
21           and prior to monies being placed in the state general fund, an amount equal to that  
22           deposited as required by Subsection B of this Section shall be credited to a special  
23           fund hereby created in the state treasury to be known as the "Louisiana Manufactured  
24           Firearms and Ammunition Fund". The monies in this fund shall be used solely as  
25           provided for in Subsection D of this Section and only in the amounts appropriated  
26           by the legislature. All unexpended and unencumbered monies in this fund at the end  
27           of the fiscal year shall remain in such fund. The monies in this fund shall be invested  
28           by the state treasurer in the same manner as monies in the state general fund and  
29           interest earned on the investment of these monies shall be credited to this fund,

1 again, following compliance with the requirement of Article VII, Section 9(B) of the  
2 Constitution of Louisiana relative to the Bond Security and Redemption Fund.

3 D. The monies in the Louisiana Manufactured Firearms and Ammunition  
4 Fund shall be used solely to implement the provisions of this Part.

5 §1828. Louisiana manufactured firearms; identification markings

6 A. Each manufacturer of any Louisiana manufactured firearm shall identify  
7 the firearm with a number or other identification mark approved by the department  
8 and shall mark, stamp, or otherwise place the number or mark thereon in a manner  
9 approved by the department.

10 B. The identification mark shall clearly state "made in Louisiana".

11 §1829. Criminal background information

12 A. Prior to selling a Louisiana manufactured firearm, a dealer shall  
13 determine whether the purchaser is eligible to purchase a Louisiana manufactured  
14 firearm pursuant to the provisions of R.S. 40:1830 and shall request a criminal  
15 history records check from the Louisiana Bureau of Criminal Identification and  
16 Information as provided for in R.S. 15:587.

17 B.(1) Upon receiving a request pursuant to the provisions of this Section, the  
18 bureau shall survey its criminal history records and identification files and make a  
19 simultaneous request of the Federal Bureau of Investigation for like information  
20 from other jurisdictions.

21 (2) The department shall review the criminal history of the purchaser and  
22 provide a response of "approved" or "denied" of the transaction to the dealer. No  
23 dealer shall proceed with the transaction unless the transaction is approved by the  
24 department.

25 C. The department may specify in the rules the manner or format the  
26 information is conveyed in order to facilitate the sale of Louisiana manufactured  
27 firearms, firearm accessories, and ammunition.

1        §1830. Requirements to purchase a Louisiana manufactured firearm

2            A. To purchase a Louisiana manufactured firearm, the purchaser shall make  
3        sworn application to purchase a Louisiana manufactured firearm authorizing the  
4        dealer to request a criminal records check as provided for in R.S. 40:1829. The  
5        submission of false or misleading information on the application or any documents  
6        submitted with the application shall subject the applicant to a fine of not more than  
7        five thousand dollars, imprisonment with or without hard labor for not more than two  
8        years, or both.

9            B. To be eligible to purchase a Louisiana manufactured firearm, a person  
10       shall meet all of the following criteria:

11            (1) Be a resident of the state.

12            (2) Be at least eighteen years of age for the purchase of a Louisiana  
13        manufactured firearm other than a handgun and at least twenty-one years of age for  
14        the purchase of a Louisiana manufactured handgun.

15            (3) Declare that the purchaser is the transferee of the firearm, unless  
16        purchased as a gift for a person who is not ineligible to possess a firearm.

17            (4) Not be ineligible to possess a firearm pursuant to the provisions of R.S.  
18        14:95.1.

19            (5) Not be a fugitive from justice.

20            (6) Not be an unlawful user of, or addicted to, marijuana, depressants,  
21        stimulants, or narcotic drugs.

22            (7) Not have been adjudicated to be mentally deficient or been committed  
23        to a mental institution.

24            (8) Not be an illegal alien in the United States.

25            (9) Not having been a citizen of the United States, renounced his citizenship.

26            (10) Not have been discharged from the Armed Forces of the United States  
27        with a discharge characterized as "Under Other than Honorable Conditions", a "Bad  
28        Conduct Discharge", or a "Dishonorable Discharge". In the case of Commissioned  
29        Officers and Warrant Officers of the United States Armed Forces, the punishment

1 of "Dismissal" rendered subject to a verdict of "guilty" at a trial by military court-  
2 martial is deemed to be disqualifying under this Paragraph. For the purposes of this  
3 Paragraph, the United States Coast Guard is considered an armed force.

4 (11) Not be subject to a court order that restricts the possession or use of a  
5 firearm.

6 (12) Not have been convicted in any court of a misdemeanor crime of  
7 domestic violence.

8 §1831. Seizure and forfeiture of weapons; disposition thereof

9 A. Any Louisiana manufactured firearm purchased or manufactured in  
10 violation of the provisions of this Part may be seized by the department. Upon  
11 seizure, the firearm shall be forfeited to the state and may be disposed of by the  
12 department pursuant to this Section.

13 B. No Louisiana manufactured firearm shall be sold at public sale. The  
14 department may order the Louisiana manufactured firearm to be destroyed, sell it at  
15 private sale to any political subdivision of the state or to any officer thereof, or retain  
16 it for its own use.

17 §1832. Federal law exclusions; interpretation of Part

18 A. A Louisiana manufactured firearm, firearm accessory, or ammunition that  
19 is manufactured commercially or privately in Louisiana pursuant to the provisions  
20 of this Part and which remains within the borders of Louisiana is not subject to  
21 federal law or federal regulation, including registration, under the authority of  
22 Congress to regulate interstate commerce. It is declared by the Louisiana Legislature  
23 that those items have not traveled in interstate commerce.

24 B. It is the express intention of the Louisiana Legislature that the courts  
25 interpret the provisions of this Part not to apply to interstate commerce only with  
26 respect to Louisiana manufactured firearms, firearm accessories, or ammunition  
27 which have been manufactured solely within the state of Louisiana from basic  
28 materials and are composed only of key firearm components which have not been  
29 imported into this state.

1           C. It is the express intention of the Louisiana Legislature that non-key  
 2           firearm components that have other manufacturing or consumer product applications  
 3           are not Louisiana manufactured firearms, firearm accessories, or ammunition, and  
 4           that their importation into Louisiana and incorporation into a firearm, firearm  
 5           accessory, or ammunition manufactured in Louisiana shall not subject the Louisiana  
 6           manufactured firearm, firearm accessory, or ammunition to federal regulation.

7           D. It is declared by this legislature that basic components, such as un-  
 8           machined steel, aluminum and other alloys, plastics, and unshaped wood, are not  
 9           Louisiana manufactured firearms, firearm accessories, or ammunition and are not  
 10          subject to congressional authority to regulate Louisiana manufactured firearms,  
 11          firearm accessories, and ammunition under interstate commerce as if they were  
 12          actually firearms, firearm accessories, or ammunition.

13          E. The authority of congress to regulate interstate commerce in basic  
 14          materials shall not include the authority to regulate Louisiana manufactured firearms,  
 15          firearm accessories, and ammunition made in Louisiana from those materials.

16          §1833. Appeals of decisions of the department

17           All appeals from any decision of the department shall be filed within twenty  
 18           days of notice of the decision in the Nineteenth Judicial District Court and shall be  
 19           reviewed solely on the record.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Lopinto

HB No. 45

**Abstract:** Provides for the licensure of persons to sell or manufacture firearms, firearm accessories, and ammunition manufactured in the state of La., and provides that the selling or manufacturing of such items are not subject to federal regulation.

Present federal law provides for the regulation of the sale of firearms and firearm accessories. Art. I, §8 of the U.S. Constitution also provides that congress has the authority to regulate interstate commerce.

Proposed law establishes an alternative regulatory scheme for the manufacture of firearms, firearm accessories, and ammunition within the boundaries of the state of La.

Proposed law provides that firearms, firearm accessories, and ammunition manufactured in the state of La. and which remain within the borders of La. are not subject to federal law or federal regulation, including registration, under the authority of congress to regulate interstate commerce.

Proposed law provides definitions including "key firearm components", "La. firearms dealer", "Louisiana firearms manufacturer", "La. manufactured", "La. manufactured ammunition", "La. manufactured firearm", "La. manufactured firearm accessories", "La. manufacturing firearms facility", and "non-key firearm components".

Proposed law establishes qualifications and criteria for the issuance of a license to sell (dealer's license) La. manufactured firearms, firearm accessories, and ammunition.

Proposed law provides that DPS&C shall not be required to issue a license to sell Louisiana manufactured firearms, accessories, or ammunition until it has issued a manufacturing license.

Proposed law establishes the qualifications and criteria for the issuance of a license to manufacture La. manufactured firearms, firearm accessories, and ammunition. Further provides for the inspection of the manufacturing facility.

Provides that DPS&C may establish rules for the implementation of proposed law.

Proposed law requires dealers and manufacturers to maintain records of the manufacture, shipment, receipt, sale, or other disposition of La. manufactured firearms, firearm accessories, and ammunition.

Proposed law authorizes DPS&C to assess a fee not to exceed \$1,000 for a manufacturer's license and a fee not to exceed \$200 for a dealer's license. Proposed law also creates the La. Manufactured Firearms and Ammunition Fund and provides for the administration and use of the fund.

Proposed law requires that all La. manufactured firearms be identified and stamped "made in La".

Provides that proposed law shall not be construed to require a federally licensed firearms manufacturer domiciled in Louisiana to obtain a Louisiana manufactured firearms license unless the applicant wants to avail itself of the provisions of proposed law.

Present federal law provides that in order for a person to purchase a firearm, a Federal Firearms Licensee shall submit the name of the prospective buyer to the National Instant Criminal Background Check System (NCIS) maintained by the FBI.

Proposed law creates an alternative background check procedure which originates with state police and provides for access to NCIS.

Proposed law establishes criteria for the purchase of a La. manufactured firearm.

Provides for the seizure and forfeiture of La. manufactured firearms which are purchased or manufactured in violation of proposed law.

Proposed law provides for appeals of decisions of the department to the 19<sup>th</sup> JDC.

(Adds R.S. 40:1821-1833)

Summary of Amendments Adopted by HouseHouse Floor Amendments to the engrossed bill.

1. Added that rules adopted pursuant to proposed law are subject to legislative oversight by the House Committee on the Administration of Criminal Justice and the Senate Committee on Judiciary C.
2. Added that the department does not have to issue a license to sell Louisiana manufactured firearms, accessories, or ammunition until it has issued a manufacturer's license.
3. Added provision that proposed law shall not be construed to require a federally licensed firearms manufacturer domiciled in Louisiana to obtain a Louisiana manufactured firearms license unless the applicant wants to avail itself of the provisions of proposed law.
4. Defined "Louisiana firearms manufacturer".