

**CONFERENCE COMMITTEE REPORT**  
**House Bill No. 98 By Representative Thompson**

June 4, 2013

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 98 by Representative Thompson, recommend the following concerning the Re-Reengrossed bill:

1. That Senate Committee Amendment No. 1 proposed by the Senate Committee on Judiciary C and adopted by the Senate on May 22, 2013, be rejected.
2. That Senate Floor Amendment No. 1 proposed by Senator Guillory and adopted by the Senate on May 28, 2013, be rejected.
3. That Senate Floor Amendments Nos. 1 through 7 proposed by Senator Riser and adopted by the Senate on May 28, 2013, be rejected.
4. That the Re-reengrossed bill be amended as follows:

AMENDMENT NO. 2

On page 2, delete lines 22 through 29 in their entirety

AMENDMENT NO. 3

On page 3, delete lines 1 through 29 in their entirety and on page 4, delete lines 1 through 26 in their entirety and insert the following:

"(1) Make sworn application to the sheriff in the same manner provided for in R.S. 40:1379.3(C)(1) in which a concealed weapons permit application is made to the secretary of public safety services of the Department of Public Safety and Corrections.

(2) Meet the same qualifications for the issuance of a concealed handgun permit pursuant to the provisions of R.S. 40:1379.3(C).

(3) Demonstrate competence with a handgun in the same manner provided for in R.S. 40:1379.3(D) in which a concealed weapons permit application is made to the secretary of public safety services of the Department of Public Safety and Corrections."

AMENDMENT NO. 4

On page 5, delete lines 10 through 26 in their entirety and insert the following:

"(2) Absent a valid court order requiring the release of information, or unless an applicant or a recipient of a concealed handgun permit is charged with a felony offense involving the use of a handgun, it shall be unlawful for any employee of the sheriff's office to intentionally release or disseminate for publication any information contained in an application for a concealed handgun permit or any information regarding the identity of any person who applied for or received a concealed handgun permit issued pursuant to this Section. A person who violates the provisions of this Paragraph shall be fined not more than five hundred dollars, imprisoned for not more than six months, or both.

(3)(a) Subject to the provisions of Paragraph (2) of this Subsection, it shall be unlawful for any person to intentionally release, disseminate, or make public in

any manner any information contained in an application for a concealed handgun permit or any information regarding the identity of any person who applied for or received a concealed handgun permit issued pursuant to this Section. Any person except as provided for in Paragraph (2) of this Subsection, who violates the provisions of this Paragraph shall be fined ten thousand dollars and may be imprisoned for not more than six months.

(b) The provisions of this Paragraph shall not apply to the release of information under any of the following circumstances:

(i) A valid court order requires the release of the information.

(ii) The information released identifies a concealed handgun permit holder or applicant who is charged with a felony offense involving the use of a handgun.

(iii) The information regarding a concealed handgun permit applicant or holder is released pursuant to the express approval for the release of such information by that permit applicant or holder.

(iv) The information regarding a concealed handgun permit holder or applicant has been made public by that concealed handgun permit holder or applicant.

"E.(1) A sheriff who issues a concealed handgun permit pursuant to the provisions of Subsection B of this Section shall require an applicant to comply with the requirements of Subsection C of this Section and shall charge the fee in the amount set forth in R.S. 40:1379.3(H)(2).

(2) A sheriff who issues a concealed handgun permit pursuant to this Section shall revoke the permit if the permit holder violates any provision as provided for in R.S. 40:1379.3(F)."

Respectfully submitted,

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Representative Jeff Thompson

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Senator Neil Riser

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Representative Joseph P. Lopinto

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Senator Robert W. "Bob" Kostelka

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Representative Terry Landry

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Senator Edwin R. Murray

CONFERENCE COMMITTEE REPORT DIGEST

House Bill No. 98 by Representative Thompson

**Keyword and oneliner of the instrument as it left the House**

WEAPONS/HANDGUNS: Provides with respect to concealed handgun permits issued by sheriffs

**Report rejects Senate amendments which would have:**

1. Required criteria and qualifications for the issuance of a concealed handgun permit issued by the sheriff which is valid only within the parish.
2. Made technical changes recommended by the Legislative Bureau.
3. Created an exception to the criminal provisions for the release of confidential information regarding a permit holder for a concealed handgun permit if the concealed handgun permit holder or applicant is charged with a felony offense involving the use of a handgun.

**Report amends the bill to:**

1. Provide that qualification criteria and competence criteria are identical to the criteria for the issuance of a concealed handgun permit issued by state police.
2. Provide that any fee charged by a sheriff is the same as the fee charged for the issuance of a concealed handgun permit issued by state police.
3. Create exceptions to proposed law if a court orders the release of the information, if the concealed handgun permit holder or applicant is charged with a felony offense involving the use of a handgun, if the permit holder or applicant consents to the release of the information, or if the information has been made public by the permit holder or applicant.

**Digest of the bill as proposed by the Conference Committee**

Present law authorizes a sheriff to issue a concealed handgun permit which is valid within the boundaries of a parish.

Proposed law retains this provision of present law.

Proposed law authorizes a sheriff to enter into a reciprocity agreement with a sheriff of a contiguous parish to issue concealed handgun permits which are valid in both participating parishes.

Proposed law provides that qualifications and criteria for the issuance of such concealed handgun permits by sheriffs are identical to the qualifications and criteria required for the issuance of a concealed handgun permit issued by state police and provided for in present law.

Proposed law provides that any information in any application for a concealed handgun permit or any information provided in connection with the application submitted to the sheriff's office shall be held confidential and shall not be subject to any public records request nor shall the information be considered as a public record. Further provides that the sheriff shall not be required to release any list of persons who applied for or received a permit for a concealed handgun.

Proposed law provides that absent a valid court order requiring the release of information, or unless an applicant or a recipient of a concealed handgun permit is charged with a felony offense involving the use of a handgun, it shall be unlawful for any employee of the sheriff's office to intentionally disseminate for publication any information contained in an

application for a concealed handgun permit or any information regarding the identity of any person who applied for or received a concealed handgun permit. Proposed law provides penalties for violations of a fine of not more than \$500, imprisonment for not more than six months, or both.

Proposed law further provides that penalties for a person other than a sheriff's employee who intentionally releases or disseminates the information contained in a concealed handgun application or permit shall include a fine of not more than \$10,000, and may include imprisonment for not more than six months.

Proposed law creates exceptions to proposed law if a court orders the release of the information, if the concealed handgun permit holder or applicant is charged with a felony offense involving the use of a handgun, if the permit holder or applicant consents to the release of the information, or if the information has been made public by the permit holder or applicant.

Proposed law provides that the sheriff shall assess the same fee assessed by state police for the issuance of a concealed handgun permit.

Provides that proposed law shall not be construed to invalidate any concealed handgun permit issued by the sheriff prior to Aug. 1, 2013.

(Amends R.S. 44:4.1(26); Adds R.S. 40:1379.1.1; Repeals R.S. 40:1379.1(G))