SLS 14RS-176 **ENGROSSED**

Regular Session, 2014

SENATE BILL NO. 651

BY SENATOR ALLAIN

WEAPONS. Authorizes legislators and officers of the legislature to carry weapons. (gov sig)

AN ACT

To enact R.S. 14:95(L), relative to carrying of weapons; to provide that members and officers of the legislature may carry weapons; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:95(L) is hereby enacted to read as follows:

§95. Illegal carrying of weapons

* * *

L. The provisions of this Section shall not prohibit a member or officer of either house of the legislature from possessing and concealing a handgun on their person provided that such legislator has a current statewide handgun permit, qualifies annually in the use of firearms by the Council on Peace Officer Standards and Training and has proof of such certification and valid identification showing proof of his status as a legislator or officer of either house of the legislature on his person.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

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vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument was prepared by Jerry J. Guillot. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

DIGEST

Allain (SB 651)

Present law provides for the illegal carrying of weapons. Defines the crime and provides conditions and penalties.

Present law provides certain exceptions from the restrictions on carrying weapons:

(1) Excepts sheriffs and their deputies, state and city police, constables and town marshals, or persons vested with police power when in the actual discharge of official duties.

(2) Excepts certain retired law enforcement officers provides they have on their persons valid identification as retired law enforcement officers, which identification shall be provided by the entity that employed the officer prior to his or her public retirement. Provides that the retired law enforcement officer must be POST qualified annually in the use of firearms and have proof of such qualification. Does not apply to such officers who are medically retired based upon any mental impairment.

(3) Excepts active and retired reserve or auxiliary law enforcement officers POST qualified annually and who have on their person valid identification as active or retired reserve law or auxiliary municipal police officers. Requires that they be qualified annually in the use of firearms by POST and have proof of such certification.

Provides that present law does not prohibit:

(1) Active justices or judges of the supreme court, courts of appeal, district courts, parish courts, juvenile courts, family courts, city courts, federal courts domiciled in the state, and traffic courts, constables, coroners, district attorneys and designated assistant district attorneys, U.S. attorneys and assistant U.S. attorneys and investigators, and justices of the peace from possessing and concealing a handgun on their person when the justice or judge, constable, coroner, district attorneys and designated assistant district attorneys, U.S. attorneys and assistant U.S. attorneys and investigators, or justices of the peace are POST certified.

(2) A retired justice or judge of the supreme court, courts of appeal, district courts, parish courts, juvenile courts, family courts, and city courts from possessing and concealing a handgun on their person provided that such retired justice or judge is POST certified and has on their person valid identification showing proof of their status as a retired justice or judge. Requires the retired justice or judge be POST qualified annually in the use of firearms and have proof of such certification. Does not apply to a retired justice or judge who is medically retired based upon any mental impairment.

Proposed law retains present law and further provides that present law does not prohibit a member or officer of either house of the legislature from possessing and concealing a handgun on his person provided that the legislator or officer has a current statewide handgun permit, POST qualifies annually in the use of firearms, and has proof of such certification

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and valid identification showing proof of his status as a legislator or officer of either house of the legislature on his person.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 14:95(L))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill

1. Technical amendments

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