
DIGEST

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Lopinto

HB No. 72

Abstract: Creates an exception to the crime of possession of a firearm in alcoholic beverage outlets for certain law enforcement officers and for concealed handgun permit holders when the possession occurs on the premises of certain restaurants.

Present law provides that no person shall intentionally possess a firearm while on the premises of an alcoholic beverage outlet.

Present law defines "alcoholic beverage outlet" as any commercial establishment in which alcoholic beverages of either high or low alcoholic content are sold in individual servings for consumption on the premises, whether or not such sales are a primary or incidental purpose of the business of the establishment.

Present law provides an exception for the owner or lessee of an alcoholic beverage outlet, or an employee of such owner or lessee, or a law enforcement officer or other person vested with law enforcement authority acting in the performance of his official duties.

Proposed law retains present law except it removes the condition that the law enforcement officer is acting in the performance of his official duties.

Proposed law further provides an exception for certain retired and auxiliary law enforcement officers.

Proposed law provides for an exception for certain persons including judges and district attorneys.

Proposed law provides for an exception for a person possessing a firearm in accordance with a concealed handgun permit or law enforcement officers on the premises of an alcoholic beverage outlet which has been issued a Class A-Restaurant permit.

Provides that proposed law shall not be construed to limit the ability of a sheriff or chief law enforcement officer from establishing policies within his department or office regarding the carrying of a concealed handgun on the premises of an alcoholic beverage outlet by any law enforcement officer under his authority.

(Amends R.S. 14:95.5(C))

Summary of Amendments Adopted by House

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

1. Added language regarding the policies of the sheriff or chief law enforcement officer regarding the carrying of concealed handguns in alcoholic beverage outlets by law enforcement officers under their authority.
2. Added language creating an exception for certain persons including judges, district attorneys, and assistant district attorneys.