

SENATE BILL NO. 361

BY SENATOR RISER AND REPRESENTATIVES ADAMS, ARNOLD, BERTHELOT, STUART BISHOP, BROADWATER, BURFORD, HENRY BURNS, CHANEY, CONNICK, CROMER, DOVE, GAROFALO, GISCLAIR, GREENE, GUINN, HARRISON, HAZEL, HODGES, HOFFMANN, HOLLIS, IVEY, KLECKLEY, LEGER, LOPINTO, LORUSSO, JAY MORRIS, PYLANT, REYNOLDS, SCHEXNAYDER, SEABAUGH, THOMPSON, WHITNEY, ALFRED WILLIAMS AND WILLMOTT

1 AN ACT

2 To enact R.S. 40:1379.1.2, 1379.1.3, and 1379.1.4, relative to the carrying of concealed
3 firearms by law enforcement officers and retired law enforcement officers; to
4 authorize the carrying of concealed firearms by certain officers and former officers
5 in public places; to provide relative to accepted forms of identification; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:1379.1.2, 1379.1.3, and 1379.1.4 are hereby enacted to read as
9 follows:

10 **§1379.1.2. Carrying of concealed firearms by qualified law enforcement**
11 **officers**

12 **A. Notwithstanding any other provision of state law or any ordinance of**
13 **any political subdivision and subject to the rules and regulations or policies of**
14 **the agency or office employing the individual, an individual who is a qualified**
15 **law enforcement officer and who is carrying the identification required by his**
16 **office as a law enforcement officer, may carry a concealed firearm anywhere in**
17 **the state, including any place open to the public, whether the officer is on duty**
18 **or not, and regardless of whether the officer is engaged in the actual discharge**
19 **of his duties.**

20 **B. As used in this Section, the term "qualified law enforcement officer"**
21 **means a law enforcement officer who meets all of the following requirements:**

22 **(1) Is an active, full-time employee of a state or municipal law**
23 **enforcement agency or sheriff's office and is certified in the use of firearms by**
24 **the Peace Officer Standards and Training Council.**

1 (2) Before such separation, was an active, full-time employee of a state
2 or municipal law enforcement agency or sheriff's office and is certified in the
3 use of firearms by the Peace Officer Standards and Training Council.

4 (3) Was authorized by law to engage in or supervise the prevention,
5 detection, investigation, or prosecution of, or the incarceration of any person
6 for, any violation of law, and had statutory powers of arrest.

7 (4)(a) Before such separation, served as a law enforcement officer for an
8 aggregate of twelve years or more; or

9 (b) Separated from service with such agency after completing any
10 applicable probationary period of such service due to a service-connected
11 disability, as determined by such agency.

12 (5) Qualifies annually in the use of firearms by the Peace Officer
13 Standards and Training Council and has proof of such certification.

14 (6)(a) Has not been officially found by a qualified medical professional
15 employed by the agency to be unqualified for reasons relating to mental health
16 and as a result of this finding will not be issued the photographic identification
17 as described in Subsection C of this Section; or

18 (b) Has not entered into an agreement with the agency from which the
19 individual separated from service in which that individual acknowledged he or
20 she was not qualified under this Section for reasons relating to mental health
21 and for those reasons did not receive or accept the photographic identification
22 as described in Subsection C of this Section.

23 (7) Is not under the influence of alcohol or another intoxicating or
24 hallucinatory drug or substance.

25 (8) Is not prohibited by federal law from receiving a firearm.

26 C. The identification required by this Section is the photographic
27 identification credential issued by the agency from which the individual
28 separated from service as a law enforcement officer that identifies the person
29 as having been employed as a law enforcement officer.

30 §1379.1.4. Conflict provision

1 Nothing in the provisions of R.S. 40:1379.1.2 and 1379.1.3 shall be
2 construed to supersede the provisions of R.S. 40:1797, and in case of any
3 conflict, the provisions of R.S. 40:1797 shall control.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____