

2016 Regular Session

HOUSE BILL NO. 693

BY REPRESENTATIVE JIMMY HARRIS

WEAPONS/FIREARMS: Expands firearm free zones

1 AN ACT

2 To amend and reenact R.S. 14:95.2(A), (B)(3) and (4), and (D) and to enact R.S.
3 14:95.2(B)(5) and (C)(9) and (10), relative to carrying a firearm or dangerous
4 weapon on school property; to expand the prohibition to include public parks,
5 playgrounds, and recreational facilities; to provide definitions; to provide for
6 exceptions; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:95.2(A), (B)(3) and (4), and (D) are hereby amended and
9 reenacted and R.S. 14:95.2(B)(5) and (C)(9) and (10) are hereby enacted to read as follows:

10 §95.2. Carrying a firearm or dangerous weapon by a student or nonstudent on
11 school property, at school-sponsored functions, on property used as a public
12 park, playground, or recreational facility, or in a firearm-free zone

13 A.(1) Carrying a firearm, or dangerous weapon as defined in R.S. 14:2, by
14 a student or nonstudent on school property, at a school sponsored function, or in a
15 firearm-free zone is unlawful and shall be defined as possession of any firearm or
16 dangerous weapon, on one's person, at any time while on a school campus, on school
17 transportation, or at any school sponsored function in a specific designated area
18 including but not limited to athletic competitions, dances, parties, or any
19 extracurricular activities, or within one thousand feet of any school campus.

1 jurisdiction over the public park, playground, or recreational facility for the
2 reenactment.

3 (10) The possession of a firearm on property used as a public park,
4 playground, or recreational facility by a person who holds a valid concealed handgun
5 permit pursuant to R.S. 40:1379.1 or 1379.3.

6 D.(1) Whoever commits the crime of carrying a firearm, or a dangerous
7 weapon as defined in R.S. 14:2, by a student or nonstudent on school property, at a
8 school-sponsored function, on property used as a public park, playground,
9 recreational facility, or in a firearm-free zone shall be imprisoned at hard labor for
10 not more than five years.

11 (2) Whoever commits the crime of carrying a firearm, or a dangerous
12 weapon as defined in R.S. 14:2, on school property, on property used as a public
13 park, playground, or recreational facility, or in a firearm-free zone with the firearm
14 or dangerous weapon being used in the commission of a crime of violence as defined
15 in R.S. 14:2(B) on school property, on property used as a public park, playground,
16 or recreational facility, or in a firearm-free zone, shall be fined not more than two
17 thousand dollars, or imprisoned, with or without hard labor, for not less than one
18 year nor more than five years, or both. Any sentence issued pursuant to the
19 provisions of this Paragraph and any sentence issued pursuant to a violation of a
20 crime of violence as defined in R.S. 14:2(B) shall be served consecutively. Upon
21 commitment to the Department of Public Safety and Corrections after conviction for
22 a crime committed ~~on school property, at a school-sponsored function or in a~~
23 ~~firearm-free zone~~ in violation of this Section, the department shall have the offender
24 evaluated through appropriate examinations or tests conducted under the supervision
25 of the department. Such evaluation shall be made within thirty days of the order of
26 commitment.

27 * * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

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)]

HB 693 Engrossed

2016 Regular Session

Jimmy Harris

Abstract: Adds parks, playgrounds, and recreational facilities to the prohibition of carrying firearms on school property.

Present law provides that carrying a firearm or dangerous weapon by a student or nonstudent on school property, at a school sponsored function, or in a firearm-free zone is unlawful.

Proposed law retains present law and expands the crime to include property used as a public park, playground, or recreational facility.

Proposed law defines "public park, playground, or recreational facility" as any building or area owned by the state or by a political subdivision that is open to the public and used or operated as a park, playground, or recreational facility. It does not include parks and recreational areas administered by the office of state parks in the Dept. of Culture, Recreation and Tourism or wildlife management areas administered by the Dept. of Wildlife and Fisheries.

Present law contains exceptions for certain persons and certain constitutionally protected activity.

Proposed law retains present law and adds an exception for concealed handgun permit holders to the proposed law regarding carrying of firearms or other dangerous weapons on property used as public parks, playgrounds, or recreational facilities.

(Amends R.S. 14:95.2(A), (B)(3) and (4), and (D); Adds R.S. 14:95.2(B)(5) and (C)(9) and (10))

Summary of Amendments Adopted by House

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

1. Adds an exception for concealed handgun permit holders.
2. Adds an exception for certified living historians.
3. Defines the definition of "public park, playground, or recreational facility" to exclude state parks and wildlife management areas.