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SB 393 Engrossed

DIGEST
2026 Regular Session

Owen

Present law provides relative to the regulation of explosives.

Present law defines "blaster" as a person employed by a primary licensee who detonates or otherwise effects the explosion of an explosive or who is in immediate personal charge and supervision of one or more other persons engaged in such activity.

Proposed law changes the definition of "blaster" to mean a person employed by a primary licensee who detonates or otherwise effects the explosion of an explosive or a person employed by a primary licensee who directly manages, supervises, or directs the activities of one or more persons employed by the same licensee who detonates or otherwise effects the explosion of an explosive by intentionally causing an explosion of an explosive to occur.

Proposed law defines "explosives business" as any corporation, company, association, firm, partnership, society, or joint stock company which engages in the manufacturing, distributing, buying, selling, or consumption of explosives and explosives materials.

Present law defines "handler" as a person who touches, moves, or otherwise handles explosives but does not detonate or otherwise effect the explosion of explosives or explosives materials. The license issued to a handler shall not be used by a blaster or user who uses explosives as an ultimate consumer.

Proposed law defines "handler" as a person who touches, moves, or transports explosives but does not detonate nor effect the explosion of explosives or explosives materials by intentionally causing an explosion of an explosive to occur. The license issued to a handler shall not be used by a blaster or user who uses explosives as the final end consumer of the explosive.

Present law defines "person" as any individual, corporation, company, association, firm, partnership, society, or joint stock company.

Proposed law defines "person" as any individual, or employee or member of a corporation, company, association, firm, partnership, society, or joint stock company that acquires, sells, possesses, stores, engages in the use of, or otherwise handles explosives in this state.

Present law requires the Dept. of Public Safety and Corrections (DPS&C) to execute a thorough background investigation, including a criminal history records check, of every applicant for the purpose of verifying or renewing the qualifications of the applicant pursuant to the requirements of

present law.

Proposed law makes technical changes.

Present law authorizes after notice and an opportunity for a hearing held in accordance with the APA, the deputy secretary to assess a civil penalty not to exceed \$10,000 for each violation against any person he determines to have violated any rule or regulation adopted pursuant to present law. Further, present law requires that, in determining the amount of the penalty, the deputy secretary take into account the nature, circumstances, extent, and gravity of the violation, the degree of culpability of the person violating the rule or regulation, the person's history of previous offenses, the person's ability to pay and the effect of the penalty on his ability to continue to operate, and any other matter that justice requires.

Proposed law retains present law, and adds the explosive business as potentially liable under present law.

Effective August 1, 2026.

(Amends R.S. 40:1472.2(4), (9.1), and (18), 1472.3(E)(3)(b), and 1472.9(A); adds R.S. 40:1472.2(7.1))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the original bill

1. Change definition of "person" to any individual, or employee or member of a corporation, company, association, firm, partnership, society, or joint stock company that acquires, sells, possesses, stores, engages in the use of, or otherwise handles explosives in this state.