The original instrument was prepared by Alden A. Clement, Jr. The following digest, which does not constitute a part of the legislative instrument, was prepared by Cathy R. Wells.

## DIGEST 2020 Regular Session

White

<u>Present law</u> provides relative to the crime of possession of firearm or carrying concealed weapon by a person convicted of certain felonies. <u>Present law</u> further provides that it is unlawful for any person who has been convicted of a "crime of violence," as defined in <u>present law</u>, when that crime is a felony, to possess a firearm or carry a concealed weapon.

## <u>Proposed law</u> retains <u>present law</u>.

SB 188 Reengrossed

<u>Present law</u> provides that a "crime of violence" is an offense that has, as an element, the use, attempted use, or threatened use of physical force against the person or property of another, and that, by its very nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense, or an offense that involves the possession or use of a dangerous weapon. <u>Present law</u> further designates certain <u>present law</u> offenses and attempts to commit any of those offenses as "crimes of violence".

<u>Proposed law</u> retains <u>present law</u> and adds the <u>present law</u> crime of possession of firearm or carrying concealed weapon by a person convicted of certain felonies to the list of crimes of violence, reversing the removal of this crime from the list of crimes of violence by Acts 2017, No. 281, §3, eff. 8/1/17. Proposed law sunsets on June 30, 2022, unless extended by legislative Act.

<u>Proposed law</u> provides that except for drug offenses in violation of the Uniform Controlled Dangerous Substance Law that are punishable by a sentence of imprisonment at hard labor for ten years or less, if any offense listed in <u>present law</u> is a predicate offense for a prosecution under <u>present law</u> and the offender uses, possesses, or has under his immediate control any firearm while having been convicted of a prior felony, then the conviction shall be designated as a crime of violence.

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

(Amends R.S. 14:95.1(D); adds R.S. 14:2(B)(29) and 95.1(E))

## Summary of Amendments Adopted by Senate

## Senate Floor Amendments to engrossed bill

- 1. Sunsets certain provisions on June 30, 2022.
- 2. Provides an exception for certain drug offense convictions.

| 3. | Designates certain gun possessions as a crime of violence. |
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