

## SENATE SUMMARY OF HOUSE AMENDMENTS

SB 2

2024 Second Extraordinary Session

Miguez

**KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

LIABILITY. Provides relative to liability for persons authorized to carry a concealed handgun. (7/1/24) (Item #19)

**SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL**

1. Adds reserve or active-duty members of the U.S. armed forces, national guard, air national guard or former members of these entities who have been honorably discharged from service.
2. Includes in the definition of "authorized person" certain law enforcement officers when in the actual discharge of official duties and certain specified retired law enforcement officers.

**DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE**

## DIGEST

SB 2 Reengrossed

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Proposed law defines the term "authorized person" as any person with a valid concealed handgun permit issued pursuant to certain provisions of present law, including provisions relative to a special officer's commission, a concealed handgun permit issued by a sheriff, a statewide concealed handgun permit, and a temporary concealed handgun permit, any qualified law enforcement officer authorized to carry a concealed handgun, including a qualified law enforcement officer, as provided by present law.

Proposed law provides that the term "authorized person" shall also apply to a reserve or active-duty member of any branch of the U.S. armed forces; a member of the Louisiana National Guard or the Louisiana Air National Guard; or a former member of any branch of the U.S. armed forces, the Louisiana National Guard, or the Louisiana Air National Guard who has been honorably discharged from service.

Proposed law provides that "authorized person" includes specified law enforcement officers when in the actual discharge of official duties and certain specified retired law enforcement officers.

Proposed law provides that an authorized person shall not be liable for damages for any injury, death, or loss suffered by a perpetrator when the injury, death, or loss is caused by a justified use of force or self-defense through the discharge of the handgun of the authorized person. Precludes any right of action by the perpetrator, his survivors, or his heirs.

Proposed law provides for exceptions to proposed law in the following circumstances:

- (1) Acts or omissions that constitute gross negligence or intentional misconduct or that result in a valid and final felony conviction in this state.
- (2) Any person without authorization pursuant to proposed law at the time of the events giving rise to a claim.

Proposed law prohibits anything in proposed law from being construed to limit or abrogate other immunities, limitations on liability, or defenses provided for in any other provision of law.

Proposed law provides that nothing in proposed law be construed to limit third party liability and property damage exposure from a criminal actor's contributory negligence that causes the lawful actions of the individual claiming limitation of liability.

Effective July 4, 2024.

(Adds R.S. 9:2793.12)

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