

2024 Regular Session

SENATE BILL NO. 152

BY SENATOR MIGUEZ

WEAPONS. Provides relative to the right of law-abiding citizens to carry concealed handguns lawfully without a permit. (8/1/24)

1 AN ACT

2 To amend and reenact R.S. 9:2793.12(B) as enacted by Section 1 of Act 2 of the 2024  
3 Second Extraordinary Session, R.S. 14:95(M), and R.S. 40:1379.3(I)(1) and (2) and  
4 the introductory paragraph of 1379.3(I)(3), relative to the illegal carrying of  
5 weapons; to provide relative to exceptions; to make technical changes; and to  
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 9:2793.12(B), as enacted by Section 1 of Act 2 of the 2024 Second  
9 Extraordinary Session, is hereby amended and reenacted to read as follows:

10 §2793.12. Limitation of liability; concealed handgun permit; definitions; exceptions

11 \* \* \*

12 B. An authorized person as defined in this Section shall not be liable for  
13 damages for any injury, death, or loss suffered by a perpetrator when the injury,  
14 death, or loss is caused by a justified use of force or self-defense through the  
15 discharge of ~~the handgun~~ **a firearm** by the authorized person. This provision shall  
16 preclude any right of action by the perpetrator, his survivors, or his heirs.

17 \* \* \*

1 Section 2. R.S. 14:95(M) is hereby amended and reenacted to read as follows:

2 §95. Illegal carrying of weapons

3 \* \* \*

4 M. The provisions of ~~Paragraph~~ **Subparagraph** (A)(1)(a) of this Section  
5 shall not apply to a resident of Louisiana if all of the following conditions are met:

6 \* \* \*

7 Section 3. R.S. 40:1379.3(I)(1) and (2) and the introductory paragraph of  
8 1379.3(I)(3) are hereby amended and reenacted to read as follows:

9 §1379.3. Statewide permits for concealed handguns; application procedures;  
10 definitions

11 \* \* \*

12 I.(1) No individual to whom a concealed handgun permit is issued or a person  
13 carrying a ~~weapon~~ **handgun** pursuant to R.S. 14:95(M) may carry and conceal such  
14 handgun while under the influence of alcohol or a controlled dangerous substance.  
15 While a permittee is under the influence of alcohol or a controlled dangerous  
16 substance, an otherwise lawful permit is considered automatically suspended and is  
17 not valid. A permittee shall be considered under the influence as evidenced by a  
18 blood alcohol reading of .05 percent or greater by weight of alcohol in the blood, or  
19 when a blood test or urine test shows any confirmed presence of a controlled  
20 dangerous substance as defined in R.S. 40:961 and 964.

21 (2) A permittee armed with a handgun in accordance with this Section or a  
22 person carrying a ~~weapon~~ **handgun** pursuant to R.S. 14:95(M) shall notify any  
23 police officer who approaches the permittee in an official manner or with an  
24 identified official purpose that he has a weapon on his person, submit to a pat down,  
25 and allow the officer to temporarily disarm him. Whenever a law enforcement officer  
26 is made aware that an individual is carrying a concealed handgun and the law  
27 enforcement officer has reasonable grounds to believe that the individual is under the  
28 influence of either alcohol or a controlled dangerous substance, the law enforcement  
29 officer may take temporary possession of the handgun and request submission of the

1 individual to a department-certified chemical test for determination of the chemical  
 2 status of the individual. Whenever a law enforcement officer is made aware that an  
 3 individual is behaving in a criminally negligent manner as defined under the  
 4 provisions of this Section, or is negligent in the carrying of a concealed handgun as  
 5 provided for in R.S. 40:1382, the law enforcement officer may seize the handgun,  
 6 until adjudication by a judge, if the individual is issued a summons or arrested under  
 7 the provisions of R.S. 40:1382. Failure by the permittee to comply with the  
 8 provisions of this Paragraph shall result in a six-month automatic suspension of the  
 9 permit.

10 (3) The permit to carry a concealed ~~weapon~~ **handgun** shall be revoked by the  
 11 deputy secretary when the permittee is carrying and concealing a handgun under any  
 12 of the following circumstances:

13 \* \* \*

---

The original instrument was prepared by Jonathon Wagner. The following digest, which does not constitute a part of the legislative instrument, was prepared by Thomas L. Tyler.

---

	DIGEST	
SB 152 Reengrossed	2024 Regular Session	Miguez

Present law provides relative to limitation of liability for certain persons who use a handgun in self defense.

Proposed law changes present law reference from "handgun" to "firearm" and otherwise retains present law.

Present law provides relative to illegal carrying of weapons and provides exceptions.

Proposed law makes technical changes and otherwise retains present law.

Present law provides relative to statewide permits for concealed handguns and restricts permit holders from being under the influence of alcohol or a controlled dangerous substance.

Proposed law changes present law references from "weapon" to "handgun" and otherwise retains present law.

Effective August 1, 2024.

(Amends R.S. 9:2793.12(B), R.S. 14:95(M), and R.S. 40:1379.3(I)(1) and (2), and (3)(intro. para.)

Summary of Amendments Adopted by Senate

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

1. Make technical changes.

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Technical legislative bureau amendment.