

2024 Regular Session

HOUSE BILL NO. 67

BY REPRESENTATIVE DOMANGUE

WEAPONS/FIREARMS: Provides an exception to the crime of illegal carrying of weapons for certain persons

1 AN ACT

2 To amend and reenact R.S. 14:95(H)(1) and (K), relative to the crime of illegal carrying of  
3 weapons; to provide an exception to illegal carrying of weapons for certain persons;  
4 and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:95(H)(1) and (K) are hereby amended and reenacted to read as  
7 follows:

8 §95. Illegal carrying of weapons

9 \* \* \*

10 H.(1) Except as provided in Paragraph (A)(4) of this Section and in  
11 Paragraph (2) of this Subsection, the provisions of this Section shall not prohibit  
12 active justices or judges of the supreme court, courts of appeal, district courts, parish  
13 courts, juvenile courts, family courts, city courts, federal courts domiciled in the state  
14 of Louisiana, and traffic courts; members of either house of the legislature; officers  
15 of either house of the legislature; the legislative auditor; designated investigative  
16 auditors; constables; coroners; designated coroner investigators; district attorneys  
17 and designated assistant district attorneys; United States attorneys and assistant  
18 United States attorneys and investigators; the governor; the lieutenant governor; the  
19 secretary of state; the treasurer; the commissioner of agriculture; the commissioner  
20 of insurance; the attorney general; designated assistant attorneys general; city

1 prosecutors; designated assistant city prosecutors; a United States representative  
2 from Louisiana and his designated, employed congressional staffer; a United States  
3 senator from Louisiana and his designated, employed congressional staffer; ~~and~~  
4 justices of the peace; parish presidents; and mayor-presidents from possessing and  
5 concealing a handgun on their person when such persons are qualified annually in  
6 the use of firearms by the Council on Peace Officer Standards and Training.

7 \* \* \*

8 K.(1) The provisions of this Section shall not prohibit a retired or former  
9 justice or judge of the supreme court, courts of appeal, district courts, parish courts,  
10 juvenile courts, family courts, city courts, federal courts; former governor; former  
11 lieutenant governor; former secretary of state; former treasurer; former commissioner  
12 of agriculture; former commissioner of insurance; retired or former attorney general;  
13 retired or former assistant attorneys general; retired or former district attorneys;  
14 retired or former assistant district attorneys; retired or former United States  
15 attorneys, retired or former assistant United States attorneys, or retired or former  
16 federal investigators; retired or former justices of the peace; retired or former  
17 members of the United States Congress; and former members of either house of the  
18 legislature from possessing and concealing a handgun on their person provided that  
19 such retired person or former member of the legislature is qualified annually, at their  
20 expense, in the use of firearms by the Council on Peace Officer Standards and  
21 Training and has on their person valid identification showing proof of their status as  
22 a former member of the legislature or as a retired or former justice, judge, governor,  
23 lieutenant governor, secretary of state, treasurer, commissioner of agriculture,  
24 commissioner of insurance, attorney general, assistant attorney general, district  
25 attorney, assistant district attorney, United States attorney, or assistant United States  
26 attorney or federal investigator, or retired justice of the peace. For a former member  
27 of the legislature, the valid identification showing proof of status as a former  
28 legislator required by the provisions of this Paragraph shall be a legislative badge  
29 issued by the Louisiana Legislature that shall include the former member's name, the

1 number of the district that the former member was elected to represent, the years that  
2 the former member served in the legislature, and words that indicate the person's  
3 status as a former member of the legislature.

4 (2) The retired or former justice, judge, governor, lieutenant governor,  
5 secretary of state, treasurer, commissioner of agriculture, commissioner of insurance,  
6 attorney general, assistant attorney general, district attorney, assistant district  
7 attorney, justice of the peace, or former member of the United States Congress or  
8 either house of the legislature shall be qualified annually in the use of firearms by the  
9 Council on Peace Officer Standards and Training and have proof of qualification.  
10 ~~However, this~~

11 (3) This Subsection shall not apply to a retired or former justice, judge,  
12 governor, lieutenant governor, secretary of state, treasurer, commissioner of  
13 agriculture, commissioner of insurance, attorney general, assistant attorney general,  
14 district attorney, assistant district attorney, United States attorney, assistant United  
15 States attorney or federal investigator, retired justice of the peace, or to a former  
16 member of the legislature or the United States Congress who is medically retired  
17 based upon any mental impairment, or who has entered a plea of guilty or nolo  
18 contendere to or been found guilty of a felony offense.

19 (3) (4) For the purposes of this Subsection:

20 (a) "Retired assistant United States attorney" or "retired federal investigator"  
21 means an assistant United States attorney or investigator receiving retirement  
22 benefits from the Federal Employees Retirement System.

23 (b) "Retired district attorney" or "retired assistant district attorney" means  
24 a district attorney or an assistant district attorney receiving retirement benefits from  
25 the District Attorneys' Retirement System.

26 (c) "Retired United States attorney" means a presidentially appointed United  
27 States attorney who separated from service in good standing.

28 \* \* \*

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

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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)]

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HB 67 Reengrossed

2024 Regular Session

Domangue

**Abstract:** Provides an exception to the crime of illegal carrying of weapons for certain individuals.

Present law provides certain exceptions to the crime of illegal carrying of weapons when such persons are qualified annually in the use of firearms by P.O.S.T.

Proposed law retains present law and adds parish presidents, mayor-presidents, the governor, the lieutenant governor, the secretary of state, the treasurer, the commissioner of agriculture, and the commissioner of insurance to the list of certain persons who are not prohibited from possessing and concealing a handgun when the person is qualified annually by P.O.S.T.

Proposed law further adds a former governor, former lieutenant governor, former secretary of state, former treasurer, former commissioner of agriculture, and former commissioner of insurance to the list of certain persons who are not prohibited from possessing and concealing a handgun when the person is qualified annually by P.O.S.T., and requires each of the listed former officials to provide valid identification showing proof of such status.

(Amends R.S. 14:95(H)(1) and (K))

Summary of Amendments Adopted by House

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

1. Make technical changes.
2. Add the following individuals who, whether in active or former service, are exempt from the crime of illegal carrying of weapons if qualified annually in the use of firearms by P.O.S.T.:
  - (a) The governor.
  - (b) The lieutenant governor.
  - (c) The secretary of state.
  - (d) The treasurer.
  - (e) The commissioner of agriculture.
  - (f) The commissioner of insurance.
3. Remove police jury presidents from the list of certain persons who are exempt from the crime of illegal carrying of weapons when qualified annually by P.O.S.T.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.

2. Require valid identification showing proof of an individual's status as a former governor, former lieutenant governor, former secretary of state, former treasurer, former commissioner of agriculture, or former commissioner of insurance in order for any of these individuals to be exempt from the crime of illegal carrying of weapons if qualified annually in the use of firearms by P.O.S.T.