

2026 Regular Session

HOUSE BILL NO. 563

BY REPRESENTATIVE MANDIE LANDRY

WEAPONS/FIREARMS: Provides for the creation of the "Louisiana Voluntary Do Not Sell List"

1 AN ACT
2 To amend and reenact R.S. 14:95.1.4 and R.S. 44:4.1(B)(6) and to enact R.S. 13:753.1,
3 relative to firearms; to provide for the creation of the "Louisiana Voluntary Do Not
4 Sell List"; to provide for procedures relative to addition and removal from the list;
5 to provide for prohibitions; to provide for penalties; to provide relative to the offense
6 of illegal transfer of a firearm to a prohibited possessor; to provide for confidentiality
7 of records; to provide for an exception to the Public Records Law; and to provide for
8 related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 13:753.1 is hereby enacted to read as follows:

11 §753.1. "Louisiana Voluntary Do Not Sell List"; registration; reporting to NICS;
12 prohibitions on purchase or sale of firearms; confidentiality; penalties

13 A. This Section shall be referred to and may be cited as the "Louisiana
14 Voluntary Do Not Sell Firearms Act".

15 B.(1) A person may submit a form to the clerk of court in the parish of the
16 person's residence with a request to be added to the Louisiana Voluntary Do Not Sell
17 List and as a result shall be prohibited from receiving or possessing a firearm. The
18 clerk shall request a valid government-issued photo identification to verify the
19 person's identity prior to accepting the form. By the end of the business day when

1 the form was received, the clerk shall transmit the accepted form to the Department
2 of Public Safety and Corrections, office of state police.

3 (2) A person may submit a form to any healthcare provider with a request
4 to be added to the Louisiana Voluntary Do Not Sell List. The healthcare provider
5 shall verify the person's identity before accepting the form and may not accept a
6 form from someone other than the person named on the form. By the end of the
7 business day when the form was received, the provider shall electronically deliver
8 the person's completed form to the Department of Public Safety and Corrections,
9 office of state police.

10 (3) A person may submit a form by mail to the office of state police with a
11 request to be added to the Louisiana Voluntary Do Not Sell List. The form shall be
12 accompanied by a photocopy of a government-issued form of identification to verify
13 the person's identity prior to accepting the form.

14 (4) A person may submit a form by electronic mail, short message service,
15 or multimedia messaging service to the office of state police with a request to be
16 added to the Louisiana Voluntary Do Not Sell List. The form shall be accompanied
17 by a copy of a government-issued photo identification and a photographic portrait
18 of the person that contains an exchangeable image file format data proving that the
19 photographic portrait was taken within one hour prior to transmission to the office
20 of state police.

21 C. The office of state police shall enter a person who requests to be added
22 to the Louisiana Voluntary Do Not Sell List into the National Instant Criminal
23 Background Check System and other federal or state computer-based systems used
24 by law enforcement agencies to identify prohibited purchasers and possessors of
25 firearms within twenty-four hours of receipt of the form.

26 D.(1) No sooner than seven calendar days after submitting a form, a person
27 may submit a form with a request to be removed from the Louisiana Voluntary Do
28 Not Sell List by any of the methods provided in Subsection B of this Section. Unless
29 the person is otherwise prohibited from possessing or purchasing a firearm under

1 state or federal law, the office of state police shall do all of the following on the
2 twenty-first day after receipt of the request for removal:

3 (a) Remove the person and all of his information from the National Instant
4 Criminal Background Check System and any other federal or state computer-based
5 systems used by law enforcement to identify prohibited possessors and purchasers
6 of firearms where the information of the person was entered.

7 (b) Destroy all records related to the person being added and removed from
8 the Louisiana Voluntary Do Not Sell List.

9 (2) At any time, a person on the Louisiana Voluntary Do Not Sell List may
10 file a signed expedited removal request form with the district court located in the
11 parish of the person's residence. There shall be no filing fees for such a request. The
12 court, within forty-eight hours of receipt of the request, shall hold a hearing after
13 adequate notice has been provided to the person. The court shall determine by a
14 preponderance of the evidence whether the request for removal is voluntary,
15 knowing, and intelligent. No later than twenty-four hours after the conclusion of the
16 hearing, the court shall inform the person of the court's determination. If the court
17 determines that the request for removal is voluntary, knowing, and intelligent, the
18 court shall instruct the office of state police to immediately remove the person from
19 the Louisiana Voluntary Do Not Sell List, unless the person is otherwise prohibited
20 from possessing or purchasing a firearm under state or federal law. If the court
21 determines that the request is not voluntary, knowing, and intelligent, the person may
22 request removal pursuant to Paragraph (1) of this Subsection.

23 E. A person who knowingly makes a false statement regarding a person's
24 addition to or removal from the Louisiana Voluntary Do Not Sell List shall be
25 subject to criminal prosecution pursuant to R.S. 14:123.

26 F. A person's addition to, placement on, or removal from the Louisiana
27 Voluntary Do Not Sell List shall not be considered by any court in a legal proceeding
28 where the person executing the form is a party, unless the proceeding involves a
29 violation of R.S. 14:95.1.4(B)(2).

1 G. Records obtained and produced under this Section are confidential and
2 shall not be a public record, except that such information may be disclosed to any of
3 the following:

4 (1) A law enforcement officer acting in the performance of his official
5 duties.

6 (2) Either of the parties in the course of a criminal prosecution.

7 (3) A person requesting to be added to the Louisiana Voluntary Do Not Sell
8 List with respect to his own information.

9 H.(1) The office of state police shall develop the following electronic request
10 forms relative to the Louisiana Voluntary Do Not Sell List:

11 (a) An addition form.

12 (b) A removal form.

13 (c) An expedited removal form.

14 (2) Each form shall contain the following:

15 (a) A signature line for the requesting person.

16 (b) A provision that states that the form is signed under penalty of perjury.

17 (c) All information necessary for identification and entry of the person into
18 the National Instant Criminal Background Check System to identify prohibited
19 possessors or purchasers of firearms.

20 (3) The forms shall be made available to the public on the website of the
21 office of state police, the Louisiana Department of Health, office of behavioral
22 health, and each judicial district court. The forms shall be electronically distributed
23 to all clerks of court and to all facilities where healthcare providers provide
24 healthcare or professional services related to healthcare within the scope of the
25 provider's license, certification, practice, education, or training.

26 (4) The office of state police shall ensure that the electronic form requesting
27 a person's addition to the Louisiana Voluntary Do Not Sell List provides an email
28 notification option that allows the requesting person to be added at the time of the
29 request or anytime after. The form shall also provide an option for one or more

1 email addresses of another person or persons to be notified by the office of state
2 police within twenty-four hours if the person on the Louisiana Voluntary Do Not Sell
3 List subsequently requests removal. The providing of an email address pursuant to
4 this Paragraph shall constitute an express authorization of the use of the email
5 address for the purposes of this Paragraph only.

6 (5) The office of state police may promulgate and adopt rules and
7 regulations, in accordance with the Administrative Procedure Act, as necessary to
8 implement the provisions of this Section.

9 I. Whoever coerces another person to add or remove his name from the
10 Louisiana Voluntary Do Not Sell List shall be imprisoned with or without hard labor
11 for not more than one year.

12 J.(1) An insurer, as defined in R.S. 22:46, shall not inquire as to whether a
13 person is on the Louisiana Voluntary Do Not Sell List. An insurer shall also not
14 modify the terms of any insurance policy of any individual due to that person's status
15 on the Louisiana Voluntary Do Not Sell List or that person's request to be added to
16 or removed from the Louisiana Voluntary Do Not Sell List.

17 (2) An employer shall not inquire whether an employee or applicant is on the
18 Louisiana Voluntary Do Not Sell List unless possession of a firearm is a requirement
19 of the employment position. An employer also shall not dismiss, discharge, demote,
20 deny employment, or otherwise alter the terms of employment of any employee or
21 applicant due to the employee or applicant being on the Louisiana Voluntary Do Not
22 Sell List or having requested to be added to or removed from the Louisiana
23 Voluntary Do Not Sell List, unless possession of a firearm is a requirement of the
24 employment position.

25 (3)(a) A person may not conduct any unlawful discriminatory housing
26 practice as provided in R.S. 51:2606 against any person who is on the Louisiana
27 Voluntary Do Not Sell List or has requested to be added to or removed from the list.

28 (b) For purposes of this Subsection, it shall be a discriminatory housing
29 practice as provided in R.S. 51:2603(A)(6) if a person is subject to any act of

1 discrimination for being on the Louisiana Voluntary Do Not Sell List or having
2 requested to be added to or removed from the Louisiana Voluntary Do Not Sell List.

3 (c) Whoever violates the provisions of this Paragraph shall be fined not more
4 than one hundred thousand dollars.

5 (4) The state, its agencies, or political subdivisions shall not condition or
6 alter any governmental benefits due to a person being on the Louisiana Voluntary Do
7 Not Sell List or having requested to be added to or removed from the Louisiana
8 Voluntary Do Not Sell List.

9 (5) A public educational institution shall not inquire as to whether an
10 individual is on the Louisiana Voluntary Do Not Sell List unless it is acting as an
11 employer and is in compliance with Paragraph (2) of this Subsection.

12 (6) A healthcare provider shall not deny any service to an individual due to
13 that individual being on the Louisiana Voluntary Do Not Sell List or having
14 requested to be added to or removed from the list.

15 (7) Except as provided in Paragraph (3) of this Subsection, whoever violates
16 the provisions of this Subsection shall be fined not more than forty thousand dollars.

17 Section 2. R.S. 14:95.1.4 is hereby amended and reenacted to read as follows:

18 §95.1.4. Illegal transfer of a firearm to a prohibited possessor

19 A. Illegal transfer of a firearm to a prohibited possessor is the intentional
20 giving, selling, donating, lending, delivering, or otherwise transferring a firearm to
21 any person known to the offender to be a person prohibited from possessing a
22 firearm under state or federal law or a person whose name appears on the Louisiana
23 Voluntary Do Not Sell List.

24 B.(1) Whoever commits the crime of illegal transfer of a firearm to a
25 prohibited possessor shall be fined not more than two thousand five hundred dollars,
26 imprisoned with or without hard labor for not more than one year, or both.

27 (2) A person on the Louisiana Voluntary Do Not Sell List who knowingly
28 receives or possesses a firearm shall be fined not more than one hundred dollars or
29 sentenced to four hours of community service.

or possessing a firearm. Further provides for verification methods and duties of the entities receiving the form.

Proposed law permits an individual to request removal from the List and provides for duties of La. State Police and the district court after receipt of the request for removal.

Proposed law provides that a person who knowingly makes a false statement regarding a person's addition to or removal from the List shall be subjected to criminal prosecution for perjury as provided in present law (R.S. 14:123).

Proposed law prohibits a court from considering a person's addition to, placement on, or removal from the List in a legal proceeding where the person executing the form is a party, unless the proceeding involves a violation for knowingly receiving or possessing a firearm while on the List.

Proposed law provides for the confidentiality of records obtained and produced under proposed law and provides for exceptions that permit disclosure.

Proposed law requires La. State Police to develop certain electronic request forms relative to the List and provides for the contents and accessibility of the forms.

Proposed law further provides for notification procedures and authorizes La. State Police to promulgate and adopt rules and regulations to implement proposed law.

Proposed law provides a penalty of imprisonment with or without hard labor for not more than one year for anyone who coerces another person to add or remove his name from the List.

Proposed law prohibits insurers and employers from inquiring as to whether a person is on the List and provides a maximum fine of \$100,000 for violators.

Proposed law further prohibits unlawful discriminatory housing practices, modifications of insurance policies, adverse actions regarding employment status, inquiries from public educational institutions, and denial of services from healthcare providers and provides a maximum fine of \$40,000 for violators. Further provides an exception for an individual whose employment requires possession of a firearm.

Proposed law provides that the government benefits of a person shall not be conditioned or altered due to that person being on or requesting to be on the List.

Present law (R.S. 14:95.1.4) provides for the crime of illegal transfer of a firearm to a prohibited possessor and provides for penalties.

Proposed law generally retains present law.

Proposed law amends the elements of present law to provide that an alternative element is the intentional giving, selling, donating, lending, delivering, or otherwise transferring of a firearm to any person whose name the offender knows appears on the List.

Proposed law provides that a person on the List who knowingly receives or possesses a firearm shall be fined not more than \$100 or sentenced to four hours of community service.

Present law (R.S. 44:4.1(B)(6)) provides for a list of exemptions from public disclosure of certain information contained in present law (Title 13 of the La. R.S.).

Proposed law retains present law and adds records obtained and produced for the List.

Proposed law provides for duties of various medical licensing boards relative to the adoption of rules and the providing of information to the public about the List.

(Amends R.S. 14:95.1.4 and R.S. 44:4.1(B)(6); Adds R.S. 13:753.1)