

2026 Regular Session

SENATE BILL NO. 393

BY SENATOR OWEN

EXPLOSIVES. Provides for the regulation of explosives. (8/1/26)

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AN ACT

To amend and reenact R.S. 40:1472.2(4), (9.1), and (18), 1472.3(E)(3)(b), and 1472.9(A) and to enact R.S. 40:1472.2(7.1), relative to the regulation of explosives; to provide for definitions; to provide for licensing; to provide for civil penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1472.2(4), (9.1), and (18), 1472.3(E)(3)(b), and 1472.9(A) are hereby amended and reenacted and R.S. 40:1472.2(7.1) is hereby enacted to read as follows:

§1472.2. Definitions

The following words used in this Part shall have the meanings respectively ascribed to them in this Section, including singular as follows:

* * *

(4) "Blaster" shall mean a person employed by a primary licensee who detonates or otherwise effects the explosion of an explosive or **a person employed by a primary licensee** who is in immediate personal charge and supervision of one or more other persons engaged in such activity **directly manages, supervises, or directs the activities of one or more persons employed by the same licensee who**

1 detonates or otherwise effects the explosion of an explosive by intentionally
2 causing an explosion of an explosive to occur.

3 * * *

4 (7.1) "Explosives business" shall mean any corporation, company,
5 association, firm, partnership, society, or joint stock company which engages in
6 the manufacturing, distributing, buying, selling, or consumption of explosives
7 and explosives materials.

8 * * *

9 (9.1) "Handler" shall mean a person who touches, moves, or ~~otherwise~~
10 ~~handles~~ transports explosives but does not detonate ~~or otherwise~~ nor effect the
11 explosion of explosives or explosives materials by intentionally causing an
12 explosion of an explosive to occur. The license issued to a handler shall not be used
13 by a blaster or user who uses explosives as ~~an ultimate consumer~~ the final end
14 consumer of the explosive.

15 * * *

16 (18) "Person" means any individual, ~~corporation, company, association, firm,~~
17 ~~partnership, society, or joint stock company~~ including but not limited to an
18 employee or principal owner or director of an explosives business engaged in
19 the manufacturing, distributing, buying, selling, or consumption of explosives
20 and explosives materials.

21 * * *

22 §1472.3. License; manufacturer, dealer-distributor, user, blaster, or handler of
23 explosives

24 * * *

25 E. * * *

26 (3) * * *

27 (b) The department shall execute a thorough background investigation,
28 including a criminal history records check, of every applicant for the purpose of
29 verifying or renewing the qualifications of the applicant for explosives licensing

1 pursuant to the requirements of this Section. For purposes of this Subparagraph, a
 2 background check shall be defined as **a fingerprint-based check of** all state **and**
 3 **national** records of arrest, prosecution, or conviction, ~~and all State records of arrest~~
 4 **shall include** expunged information and dismissed convictions pursuant to Code of
 5 Criminal Procedure Articles 893 and 894, ~~as well as national records which shall~~
 6 ~~include fingerprints of the applicant and other identifying information, that shall be~~
 7 ~~requested by the department.~~ The department shall require any current ~~or~~ **licensee**
 8 **for an explosives license renewal or an applicant for a new explosives license as**
 9 **a** prospective manufacturer, dealer-distributor, user, blaster, or handler **of explosives**
 10 as defined in R.S. 40:1472.2 to submit to a criminal history records check to be
 11 conducted by the Louisiana Bureau of Criminal Identification and Information.
 12 Fingerprints and other identifying information ~~from the current or~~ **shall be obtained**
 13 **from an applicant as a** prospective manufacturer, dealer-distributor, user, blaster,
 14 or handler **of explosives and** shall be submitted to the bureau **to initiate the**
 15 **criminal history records search.** ~~In addition, when the department requests a~~
 16 ~~national criminal history records check, the~~ **The** bureau shall **simultaneously**
 17 forward the fingerprints to the Federal Bureau of Investigation for a national criminal
 18 history records check and shall provide the department with the national criminal
 19 history record information of the current ~~or~~ **licensee or the applicant of a new**
 20 **explosives license as a** prospective manufacturer, dealer-distributor, user, blaster,
 21 or handler.

22 * * *

23 §1472.9. Civil penalties

24 A. After notice and an opportunity for a hearing held in accordance with the
 25 Administrative Procedure Act, the deputy secretary may assess a civil penalty not to
 26 exceed ten thousand dollars for each violation against any person **or explosives**
 27 **business** he determines to have violated any rule or regulation adopted pursuant to
 28 this Part. In determining the amount of the penalty the deputy secretary shall take
 29 into account the nature, circumstances, extent, and gravity of the violation, the

1 degree of culpability of the person **or explosives business** violating the rule or
 2 regulation, the person's **or explosives business'** history of previous offenses, the
 3 person's **or explosives business'** ability to pay and the effect of the penalty on his
 4 ability to continue to operate, and any other matter that justice requires.

5 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 393 Original 2026 Regular Session Owen

Present law provides relative to the regulation of explosives.

Present law defines "blaster" as a person employed by a primary licensee who detonates or otherwise effects the explosion of an explosive or who is in immediate personal charge and supervision of one or more other persons engaged in such activity.

Proposed law changes the definition of "blaster" to mean a person employed by a primary licensee who detonates or otherwise effects the explosion of an explosive or a person employed by a primary licensee who directly manages, supervises, or directs the activities of one or more persons employed by the same licensee who detonates or otherwise effects the explosion of an explosive by intentionally causing an explosion of an explosive to occur.

Proposed law defines "explosives business" as any corporation, company, association, firm, partnership, society, or joint stock company which engages in the manufacturing, distributing, buying, selling, or consumption of explosives and explosives materials.

Present law defines "handler" as a person who touches, moves, or otherwise handles explosives but does not detonate or otherwise effect the explosion of explosives or explosives materials. The license issued to a handler shall not be used by a blaster or user who uses explosives as an ultimate consumer.

Proposed law defines "handler" as a person who touches, moves, or transports explosives but does not detonate nor effect the explosion of explosives or explosives materials by intentionally causing an explosion of an explosive to occur. The license issued to a handler shall not be used by a blaster or user who uses explosives as the final end consumer of the explosive.

Present law defines "person" as any individual, corporation, company, association, firm, partnership, society, or joint stock company.

Proposed law defines "person" as any individual, including but not limited to an employee or principal owner or director of an explosives business engaged in the manufacturing, distributing, buying, selling, or consumption of explosives and explosives materials.

Present law requires the Dept. of Public Safety and Corrections (DPS&C) to execute a thorough background investigation, including a criminal history records check, of every applicant for the purpose of verifying or renewing the qualifications of the applicant pursuant to the requirements of present law.

Proposed law makes technical changes.

Present law authorizes after notice and an opportunity for a hearing held in accordance with the APA, the deputy secretary to assess a civil penalty not to exceed \$10,000 for each violation against any person he determines to have violated any rule or regulation adopted pursuant to present law. Further, present law requires that, in determining the amount of the penalty, the deputy secretary take into account the nature, circumstances, extent, and gravity of the violation, the degree of culpability of the person violating the rule or regulation, the person's history of previous offenses, the person's ability to pay and the effect of the penalty on his ability to continue to operate, and any other matter that justice requires.

Proposed law retains present law, and adds the explosive business as potentially liable under present law.

Effective August 1, 2026.

(Amends R.S. 40:1472.2(4), (9.1), and (18), 1472.3(E)(3)(b), and 1472.9(A); adds R.S. 40:1472.2(7.1))