

2018 Regular Session

HOUSE BILL NO. 892 (Substitute for House Bill No. 200 by Representative Wright)

BY REPRESENTATIVE WRIGHT

WEAPONS: Provides relative to the illegal carrying of certain knives

1 AN ACT

2 To amend and reenact R.S. 14:95(A)(4)(a) and to repeal R.S. 14:95(J), relative to the illegal
3 carrying of knives; to repeal the prohibition on the manufacturing, ownership,
4 possession, and custody of certain switchblade knives, spring knives, or other knives
5 or similar instruments having a blade; to prohibit the intentional concealment on
6 one's person of certain switchblade knives, spring knives, or other knives or similar
7 instruments having a blade; to repeal the exception to this offense for rescue knives
8 sold to or possessed, owned, or carried by law enforcement and the exception for
9 merchants who own or possess rescue knives as inventory to be offered for sale to
10 law enforcement officers; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 14:95(A)(4)(a) is hereby amended and reenacted to read as follows:

13 §95. Illegal carrying of weapons

14 A. Illegal carrying of weapons is:

15 * * *

16 (4)(a) The ~~manufacture, ownership, possession, custody or use~~ intentional
17 concealment on one's person of any switchblade knife, spring knife, or other knife
18 or similar instrument having a blade which may be automatically unfolded or
19 extended from a handle by the manipulation of a button, switch, latch, or similar
20 contrivance located on the handle.

21 * * *

22 Section 2. R.S. 14:95(J) is hereby repealed in its entirety.

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)]

HB 892 Original

2018 Regular Session

Wright

Abstract: Repeals the prohibition on the manufacturing, ownership, possession, and custody of certain knives and prohibits the intentional concealment of such knives.

Present law prohibits the manufacture, ownership, possession, custody, or use of any switchblade knife, spring knife, or other knife or similar instrument having a blade which may be automatically unfolded or extended from a handle by the manipulation of a button, switch, latch, or similar contrivance located on the handle.

Present law provides that this prohibition shall not apply to the following:

- (1) Any knife that may be opened with one hand by manual pressure applied to the blade or any projection of the blade.
- (2) Any knife that may be opened by means of inertia produced by the hand, wrist, or other movement, provided the knife has either a detent or other structure that provides resistance that shall be overcome in opening or initiating the opening movement of the blade or a bias or spring load toward the closed position.

Present law further provides for the following exceptions to this offense:

- (1) The ownership of rescue knives by commissioned full-time law enforcement officers.
- (2) The carrying of rescue knives by commissioned full-time law enforcement officers who are in the actual discharge of their official duties.
- (3) The sale of rescue knives to commissioned full-time law enforcement officers.
- (4) The ownership or possession of rescue knives by merchants who own or possess the knives solely as inventory to be offered for sale to commissioned full-time law enforcement officers.

Proposed law removes from present law the prohibition on the manufacture, ownership, possession, custody, or use of any switchblade knife, spring knife, or other knife or similar instrument having a blade which may be automatically unfolded or extended from a handle by the manipulation of a button, switch, latch, or similar contrivance located on the handle.

Proposed law prohibits the intentional concealment of such knives on one's person.

Proposed law retains the present law exception to this offense for any knife that may be opened with one hand by manual pressure applied to the blade or any projection of the blade and certain knives that may be opened by means of inertia produced by the hand, wrist, or other movement.

Proposed law repeals the present law exception for rescue knives sold to or owned, carried, or possessed by law enforcement and the exception for merchants who own or possess the knives as inventory to be offered for sale to law enforcement officers.

(Amends R.S. 14:95(A)(4)(a); Repeals R.S. 14:95(J))