

2018 Regular Session

SENATE BILL NO. 491

BY SENATOR CARTER

WEAPONS. Prohibits the importation, manufacture, sale, purchase, possession, or transfer of a rapid-fire device. (1/1/19)

1 AN ACT

2 To enact Part III of Chapter 9 of Title 40, to be comprised of R.S. 40:1801 and 1802, relative  
3 to the regulation of weapons; to prohibit the importation, manufacture, sale,  
4 purchase, possession, or transfer of a rapid-fire device; to provide for criminal  
5 penalties; to provide definitions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Part III of Chapter 9 of Title 40, comprised of R.S. 40:1801 and 1802, is  
8 hereby enacted to read as follows:

9 **PART III. RAPID-FIRE DEVICES**

10 **§1801. Definitions**

11 **As used in this Part:**

12 **(1) "Rapid-fire device" means any of the following:**

13 **(a) A device that, when attached to a semiautomatic weapon, allows the**  
14 **weapon to discharge two or more shots in a burst by activating the device.**

15 **(b) A manual or power-driven trigger activating device that, when**  
16 **attached to a semiautomatic weapon, substantially increases the rate of fire of**  
17 **that weapon.**

1                    (c) A reciprocating stock or other device that, when attached to a  
 2                    semiautomatic weapon, substantially accelerates the rate of fire of the weapon.

3                    (2) "Semiautomatic weapon" means any repeating weapon that utilizes  
 4                    the portion of the energy of a firing cartridge to extract the fired cartridge case  
 5                    and chamber to the next round, and that requires a separate function of the  
 6                    trigger to fire each cartridge.

7                    §1802. Prohibitions

8                    A. No person shall import, manufacture, sell, keep for sale, offer for sale,  
 9                    purchase, possess, or transfer within this state a rapid-fire device.

10                   B. Whoever violates the provisions of this Section shall be fined not  
 11                   more than one thousand dollars, imprisoned with or without hard labor for not  
 12                   more than one year, or both.

13                   Section 2. This Act shall become effective on January 1, 2019.

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The original instrument was prepared by Angela Lockett De Jean. The following digest, which does not constitute a part of the legislative instrument, was prepared by Dawn Romero Watson.

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DIGEST

SB 491 Engrossed

2018 Regular Session

Carter

Proposed law prohibits a person from importing, manufacturing, selling, keeping for sale, offering for sale, purchasing, possessing or transferring within this state a rapid-fire device, and provides that anyone who violates this prohibition shall be fined not more than \$1,000, imprisoned for not more than one year, or both.

Proposed law defines "rapid-fire device" as any of the following:

- (1) A device that, when attached to a semiautomatic weapon, allows the weapon to discharge two or more shots in a burst by activating the device.
- (2) A manual or power-driven trigger activating device that, when attached to a semiautomatic weapon, substantially increases the rate of fire of that weapon.
- (3) A reciprocating stock or other device that, when attached to a semiautomatic weapon, substantially accelerates the rate of fire of the weapon.

Proposed law defines "semiautomatic weapon" as any repeating weapon that utilizes the portion of the energy of a firing cartridge to extract the fired cartridge case and chamber to the next round, and that requires a separate function of the trigger to fire each cartridge.

Effective January 1, 2019.

(Adds R.S. 40:1801 and 1802)

Summary of Amendments Adopted by Senate

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

1. Adds special effective date of January 1, 2019.