SLS 22RS-90

ORIGINAL

2022 Regular Session

SENATE BILL NO. 53

BY SENATOR FOIL

WEAPONS. Provides certain exceptions to the crime of illegal carrying of weapons. (gov sig)

1	AN ACT
2	To amend and reenact R.S. 14:95(K), relative to the crime of illegal carrying of weapons;
3	to provide an exception to illegal carrying of weapons for certain retired federal
4	officials; to provide definitions; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 14:95(K) is hereby amended and reenacted to read as follows:
7	§95. Illegal carrying of weapons
8	* * *
9	K.(1) The provisions of this Section shall not prohibit a retired justice or
10	judge of the supreme court, courts of appeal, district courts, parish courts, juvenile
11	courts, family courts, city courts, federal courts, retired attorney general, retired
12	assistant attorneys general, retired district attorneys, retired assistant district
13	attorneys, retired United States attorneys, retired assistant United States
14	attorneys, or retired investigators, and former members of either house of the
15	legislature from possessing and concealing a handgun on their person provided that
16	such retired person or former member of the legislature is qualified annually, at their
17	expense, in the use of firearms by the Council on Peace Officer Standards and

Page 1 of 3 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	Training and has on their person valid identification showing proof of their status as
2	a former member of the legislature or as a retired justice, judge, attorney general,
3	assistant attorney general, district attorney, or assistant district attorney, United
4	States attorney, or assistant United States attorney or investigator. For a former
5	member of the legislature, the valid identification showing proof of status as a
6	former legislator required by the provisions of this Paragraph shall be a legislative
7	badge issued by the Louisiana Legislature that shall include the former member's
8	name, the number of the district that the former member was elected to represent, the
9	years that the former member served in the legislature, and words that indicate the
10	person's status as a former member of the legislature.
11	(2) The retired justice, judge, attorney general, assistant attorney general,
12	district attorney, or assistant district attorney or former member of the legislature
13	shall be qualified annually in the use of firearms by the Council on Peace Officer
14	Standards and Training and have proof of qualification. However, this Subsection

shall not apply to a retired justice, judge, attorney general, assistant attorney general,
 district attorney, or assistant district attorney, <u>United States attorney, assistant</u>
 <u>United States attorney or investigator</u>, or to a former member of the legislature
 who is medically retired based upon any mental impairment, or who has entered a
 plea of guilty or nolo contendere to or been found guilty of a felony offense.

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(3) For the purposes of this Subsection,:

21 (a) Retired "Retired district attorney" or "retired assistant district attorney"
 22 shall mean means a district attorney or an assistant district attorney receiving
 23 retirement benefits from the District Attorneys' Retirement System.

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 (b) "Retired United States attorney" means a presidentially appointed

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 United States attorney who separated from service in good standing.

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 (c) "Retired assistant United States attorney" or "retired investigator"

 27
 means an assistant United States attorney or investigator receiving retirement

 28
 benefits from the Federal Employees Retirement System.

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1 Section 2. This Act shall become effective upon signature by the governor or, if not 2 signed by the governor, upon expiration of the time for bills to become law without signature 3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If 4 vetoed by the governor and subsequently approved by the legislature, this Act shall become 5 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Whitney Kauffeld.

DIGESTSB 53 Original2022 Regular SessionFoil

Present law provides certain exceptions to the crime of illegal carrying of weapons.

<u>Proposed law</u> retains <u>present law</u> and adds an exception for retired judges of federal courts, retired United States attorneys, retired assistant United States attorneys and retired investigators.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 14:95(K))