

2022 Regular Session

HOUSE BILL NO. 37

BY REPRESENTATIVES MCCORMICK, AMEDEE, BACALA, BAGLEY, BUTLER, CARRIER, CORMIER, CREWS, ECHOLS, EDMONDS, EDMONSTON, EMERSON, FIRMENT, FRIEMAN, GADBERRY, GAROFALO, GEYMANN, HARRIS, HODGES, HOLLIS, HORTON, HUVAL, IVEY, MIKE JOHNSON, MACK, MCFARLAND, MIGUEZ, ORGERON, CHARLES OWEN, ROBERT OWEN, RISER, ROMERO, SCHAMERHORN, SEABAUGH, AND WRIGHT

WEAPONS/HANDGUNS: Provides relative to the concealed carrying of firearms

1 AN ACT

2 To amend and reenact R.S. 40:1379.3(B) and to enact R.S. 14:95(M) and R.S. 40:1379.3.3,
3 relative to the illegal carrying of weapons; to exempt certain persons from the crime
4 of illegal carrying of weapons; to provide relative to concealed handgun permits; to
5 provide relative to the authority of a person to carry a concealed handgun without a
6 permit; to provide for the Louisiana Firearm Safety Awareness Act; to provide
7 relative to an online education course; to provide for a purpose; to provide relative
8 to course topics; to provide relative to database maintenance; to provide for
9 promulgation of rules; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 14:95(M) is hereby enacted to read as follows:

12 §95. Illegal carrying of weapons

13 * * *

14 M. The provisions of Paragraph (A)(1) of this Section shall not apply to a
15 person if all of the following conditions are met:

16 (1) The person is twenty-one years of age or older.

17 (2) The person is not prohibited from possessing a firearm under R.S.
18 14:95.1 or any other state or federal law.

1 Section 2. R.S. 40:1379.3(B) is hereby amended and reenacted and R.S. 40:1379.3.3
2 is hereby enacted to read as follows:

3 §1379.3. Statewide permits for concealed handguns; application procedures;
4 definitions

5 * * *

6 B.(1) A concealed handgun permit shall be issued only to a Louisiana
7 resident who qualifies for a permit under the provisions of this Section. A concealed
8 handgun permit issued pursuant to the provisions of this Section shall grant authority
9 to a Louisiana resident to carry a concealed handgun on his person.

10 ~~(2) A Louisiana resident shall be required to possess a valid concealed~~
11 ~~handgun permit issued by the state of Louisiana pursuant to the provisions of this~~
12 ~~Section in order to carry a concealed handgun in the state of Louisiana.~~

13 * * *

14 §1379.3.3. Louisiana Firearm Safety Awareness Act

15 A. This Section shall be known and cited as the "Louisiana Firearm Safety
16 Awareness Act".

17 B. The Department of Public Safety and Corrections, office of state police,
18 shall provide a two-hour online handgun education course at no cost to Louisiana
19 residents.

20 C. The purpose of this online education course is to educate the public on
21 firearm safety and use. The course is optional and shall not be a requirement for
22 obtaining a concealed handgun permit under R.S. 40:1379.3. Completion of this
23 course shall not grant any person the right to carry a concealed handgun unless
24 otherwise provided by law.

25 D. The online handgun education course shall include instruction on all of
26 the following topics:

27 (1) Handgun basics and nomenclature.

28 (2) Firearm-free zones.

29 (3) Use of deadly force.

1 (4) Interactions with law enforcement officers.

2 (5) Conflict resolution.

3 (6) Accident prevention.

4 (7) Unauthorized access prevention.

5 (8) Safe handling of a handgun.

6 E. State police shall maintain an online database of all licensed handgun and
7 firearm instructors to allow the public to search for classes.

8 F.(1) The content, structure, accessibility, and all other related matters of the
9 online handgun education shall be developed and promulgated by the Department
10 of Public Safety and Corrections, office of state police, in accordance with the rules
11 and regulations of the Administrative Procedure Act.

12 (2) In accordance with Paragraph (1) of this Subsection, the Department of
13 Public Safety and Corrections, office of state police, shall divide the topics provided
14 in Subsection D of this Section into eight video segments that shall broadcast for no
15 less than fifteen minutes per segment.

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 37 Reengrossed

2022 Regular Session

McCormick

Abstract: Exempts certain persons from the crime of illegal carrying of weapons, removes the requirement that a person possess a permit issued by the state in order to carry a concealed handgun, and provides for an online handgun education course.

Present law (R.S. 14:95) prohibits the carrying of a concealed firearm, provides for criminal penalties, and provides for certain exceptions to the offense.

Proposed law creates an exception to this prohibition for a person who is 21 years of age or older and who is not prohibited from possessing a firearm under any federal or state law.

Present law (R.S. 40:1379.3) provides that La. residents who meet certain eligibility requirements may apply for and be issued a concealed handgun permit authorizing the person to carry a concealed handgun on his person in the state. Present law requires the person to possess a valid concealed handgun permit issued by the state in order to carry a concealed handgun.

Proposed law removes the requirement that a person possess a permit issued by the state in order to carry a concealed handgun.

Proposed law (R.S. 40:1379.3.3) shall be known and cited as the "Louisiana Firearm Safety Awareness Act".

Proposed law provides that the DPS&C, office of state police, shall provide a two-hour online handgun education course at no cost to La. residents.

Proposed law provides for the purpose of the online education course, and provides that the course is optional and shall not be a requirement for obtaining a concealed handgun permit under present law (R.S. 40:1379.3).

Proposed law provides that completion of the online education course shall not grant any person the right to carry a concealed handgun unless otherwise provided by law.

Proposed law provides that the online handgun education course shall cover all of the following topics:

- (1) Handgun basics and nomenclature.
- (2) Firearm-free zones.
- (3) Use of deadly force.
- (4) Interactions with law enforcement officers.
- (5) Conflict resolution.
- (6) Accident prevention.
- (7) Unauthorized access prevention.
- (8) Safe handling of a handgun.

Proposed law provides that state police shall maintain an online database of all licensed handgun and firearm instructors to allow the public to search for classes.

Proposed law provides that the content, structure, accessibility, and all other related matters of the online handgun education shall be developed and promulgated by the DPS&C, office of state police, in accordance with the rules and regulations of the Administrative Procedure Act.

Proposed law provides that the DPS&C, office of state police, shall divide the topics provided in proposed law into eight video segments that shall broadcast for no less than 15 minutes per segment.

(Amends R.S. 40:1379.3(B); Adds R.S. 14:95(M) and R.S. 40:1379.3.3)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Increase the minimum age a person must be to legally carry a weapon from 18 years of age to 21 years of age.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Add language that provides for the implementation and development of an optional online handgun education course.