

# ACT No. 120

2023 Regular Session

HOUSE BILL NO. 331

BY REPRESENTATIVES CARRIER, BRYANT, FREIBERG, GAROFALO, GOUDEAU, HARRIS, MIKE JOHNSON, TRAVIS JOHNSON, KNOX, MARINO, PIERRE, SELDERS, VILLIO, AND WRIGHT

1 AN ACT

2 To amend and reenact R.S. 40:1751, 1752, 1755, and 1781(3) and (5) and to repeal R.S.  
3 40:1753 and 1754, relative to automatic weapons; to provide for definitions; to  
4 provide for penalties and exceptions relative to the manufacture, transfer, or  
5 possession of automatic weapons; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1751, 1752, 1755, and 1781(3) and (5) are hereby amended and  
8 reenacted to read as follows:

9 §1751. Definitions

10 For purposes of this Part, "machine gun" ~~includes all firearms of any calibre,~~  
11 ~~commonly known as machine rifles, machine guns, and sub-machine guns, capable~~  
12 ~~of automatically discharging more than eight cartridges successively without~~  
13 ~~reloading, in which the ammunition is fed to the gun from or by means of clips,~~  
14 ~~disks, belts, or some other separable mechanical device. "Manufacturer" includes~~  
15 ~~all persons manufacturing machine guns; "Merchant" includes all persons dealing~~  
16 ~~with machine guns as merchandise. means any weapon which shoots, is designed to~~  
17 ~~shoot, or can be readily restored to shoot, automatically more than one shot without~~  
18 ~~manual reloading, by a single function of the trigger. The term shall also include the~~  
19 ~~frame or receiver of any such weapon, and any part designed and intended solely and~~  
20 ~~exclusively, or combination of parts designed and intended, for use in converting a~~  
21 ~~weapon into a machine gun. The term shall not include items that are not required~~  
22 ~~to be registered in the National Firearms Registration and Transfer Record~~  
23 ~~maintained by the Bureau of Alcohol, Tobacco, Firearms and Explosives.~~





1           shotgun from which the serial number or mark of identification has been obliterated,  
 2           from which a shot is discharged by an explosive, if that weapon is capable of being  
 3           concealed on the person; or a machine gun, grenade launcher, ~~flame thrower,~~  
 4           bazooka, rocket launcher, excluding black powder weapons, or gas grenade; and  
 5           includes a muffler or silencer for any firearm, whether or not the firearm is included  
 6           within this definition. Pistols and revolvers and those rifles and shotguns which have  
 7           not previously been defined in this Paragraph as firearms from which serial numbers  
 8           or marks of identification have not been obliterated are specifically exempt from this  
 9           definition.

\*       \*       \*

11                   (5) "Machine gun" means any weapon, ~~including a submachine gun, which~~  
 12                   ~~shoots or is designed to shoot automatically more than one shot without manual~~  
 13                   ~~reloading, by a single function of the trigger.~~ which shoots, is designed to shoot, or  
 14                   can be readily restored to shoot, automatically more than one shot, without manual  
 15                   reloading by a single function of the trigger. The term shall also include the frame  
 16                   or receiver of any such weapon, and any part designed and intended solely and  
 17                   exclusively, or combination of parts designed and intended, for use in converting a  
 18                   weapon into a machine gun. The term shall not include items that are not required  
 19                   to be registered in the National Firearms Registration and Transfer Record  
 20                   maintained by the Bureau of Alcohol, Tobacco, Firearms and Explosives.

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22           Section 2. R.S. 40:1753 and 1754 are hereby repealed in their entirety.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_