

SENATE BILL NO. 233

BY SENATOR MIGUEZ

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AN ACT

To amend and reenact R.S. 14:95(H)(2) and to enact R.S. 40:1379.1.3(D),(E),(F), and (G) and 1379.1.4(F),(G),(H), and (I), relative to carrying of concealed firearms; to provide relative to carrying of concealed firearms by qualified law enforcement officers and retired law enforcement officers and certain state officials; to provide relative to penalties for violation of concealed carry provisions; to provide relative to authority of attorney general to bring civil actions; to provide for court costs and attorney fees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:95(H)(2) is hereby amended and reenacted to read as follows:

§95. Illegal carrying of weapons

\* \* \*

H.

\* \* \*

(2) Nothing in this Subsection shall permit the carrying of a weapon in the state capitol building- **with the exception of the following state officials if they are annually qualified in the use of firearms by the Council on Peace Officer Standards and Training:**

**(a) The attorney general and members of his Louisiana Bureau of Investigation security detail.**

**(b) Members of the legislature.**

\* \* \*

Section 2. R.S. 40:1379.1.3(D),(E),(F), and (G) and 1379.1.4(F),(G),(H), and (I) are hereby enacted to read as follows:

§1379.1.3. Carrying of concealed firearms by qualified law enforcement officers

\* \* \*

1                    **D. No business organization shall deny entry or otherwise prohibit a**  
2                    **qualified law enforcement officer who is lawfully carrying a concealed firearm**  
3                    **from entering a venue.**

4                    **E. As used in this Section:**

5                    **(1) "Business organization" means a sole proprietorship, partnership,**  
6                    **corporation, limited liability company, or other business association recognized**  
7                    **by the Internal Revenue Service.**

8                    **(2) "Venue" means a physical location open to the public that is**  
9                    **operated, managed, owned by, or otherwise under the control or authority of**  
10                   **a business organization.**

11                   **F. A business organization operating a venue shall be subject to a civil**  
12                   **fine of one thousand dollars per occurrence to be paid to the Department of**  
13                   **Justice for each violation of the provisions of Subsection D of this Section. Each**  
14                   **violation of Subsection D of this Section shall constitute a separate offense. The**  
15                   **attorney general shall have the authority to bring a civil action arising out of**  
16                   **any violation of the provisions of Subsection D of this Section, in addition to any**  
17                   **other authority granted by the Constitution of Louisiana and laws of this state.**

18                   **G. The court shall assess all court costs, including attorney fees, incurred**  
19                   **in the institution of the action authorized by Subsection F of this Section against**  
20                   **the subject of the action for any violation of the provisions of Subsection D of**  
21                   **this Section.**

22                   §1379.1.4. Carrying of concealed firearms by qualified retired law enforcement  
23                   officers

24                   \*           \*           \*

25                   **F. No business organization shall deny entry or otherwise prohibit a**  
26                   **qualified retired law enforcement officer who is lawfully carrying a concealed**  
27                   **firearm from entering a venue.**

28                   **G. As used in this Section:**

29                   **(1) "Business organization" means a sole proprietorship, partnership,**  
30                   **corporation, limited liability company, or other business association recognized**

1 by the Internal Revenue Service.

2 (2) "Venue" means a physical location open to the public that is  
3 operated, managed, owned by, or otherwise under the control or authority of  
4 a business organization.

5 H. A business organization operating a venue shall be subject to a civil  
6 fine of one thousand dollars per occurrence to be paid to the Department of  
7 Justice for each violation of the provisions of Subsection F of this Section. Each  
8 violation of Subsection F of this Section shall constitute a separate offense. The  
9 attorney general shall have the authority to bring a civil action arising out of  
10 any violation of the provisions of Subsection F of this Section, in addition to any  
11 other authority granted by the Constitution of Louisiana and laws of this state.

12 I. The court shall assess all court costs, including attorney fees, incurred  
13 in the institution of the action authorized by Subsection H of this Section against  
14 the subject of the action for any violation of the provisions of Subsection F of  
15 this Section.

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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