

Regular Session, 2013

HOUSE BILL NO. 277

BY REPRESENTATIVE LAMBERT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

WEAPONS/FIREARMS: Repeals provisions of law regarding prior approval for the transfer of certain firearms

1 AN ACT

2 To repeal R.S. 40:1784, relative to the possession and transfer of certain firearms; to repeal
3 provisions requiring prior approval for the transfer of certain firearms.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 40:1784 is hereby repealed in its entirety.

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)]

Lambert

HB No. 277

Abstract: Repeals provisions requiring the prior approval of DPS&C for the possession and transfer of certain types of firearms.

For purposes of certain provisions of law governing the transfer of weapons, present law defines "firearm" as a shotgun having a barrel of less than 18 inches in length; a rifle having a barrel of less than 16 inches in length; any weapon made from either a rifle or a shotgun if the weapon has been modified to have an overall length of less than 26 inches; any other firearm, pistol, revolver, or shotgun from which the serial number or mark of identification has been obliterated, from which a shot is discharged by an explosive, if that weapon is capable of being concealed on the person; or a machine gun, grenade launcher, flame thrower, bazooka, rocket launcher, excluding black powder weapons, or gas grenade; and includes a muffler or silencer for any firearm, whether or not the firearm is included within this definition. Further provides that pistols, revolvers, and those rifles and shotguns which are not included in this definition of firearms from which serial numbers or marks of identification have not been obliterated are specifically exempt from this definition.

Present federal law provisions (26 USC 5812) and regulations of the Federal Bureau of Alcohol Tobacco and Firearms (ATF Form 4) require both federal and either state or local law enforcement certification as part of the federal requirements to transfer a firearm. As a result, similar or identical information is collected on both a state and federal level to transfer certain firearms.

Present law prohibits the possession or transfer of a certain type of firearm without prior approval of DPS&C. Provides that when a person transfers ownership of a certain type of firearm, as defined in present law, the transferor and transferee must submit an application to DPS&C to effectuate the transfer.

Proposed law repeals present law.

(Repeals R.S. 40:1784)