HLS 14RS-1675 ENGROSSED

A CONCURRENT RESOLUTION

Regular Session, 2014

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HOUSE CONCURRENT RESOLUTION NO. 128

BY REPRESENTATIVES SMITH, BARROW, AND ST. GERMAIN

COURTS: Provides with respect to protective orders

2	To urge and request that the Judicial Administrator's Office of the Louisiana Supreme Court
3	and the Steering Committee of Louisiana Protective Order Registry revise protective
4	order language to simplify the provisions regarding possession or purchase of
5	firearms.
6	WHEREAS, the Louisiana Women's Policy and Research Commission, first
7	established in 1964, is the state commission charged with monitoring the status of Louisiana
8	women for the purpose of evaluating their economic, educational, and health issues,
9	analyzing trends that impact women's health and prosperity, and providing policy
10	recommendations to address the challenges women face in Louisiana; and
11	WHEREAS, the commission recently submitted its 2013 report to the office of the
12	governor which contained facts, findings, and recommendations for changes in Louisiana
13	law which would have a beneficial impact on women's health and prosperity; and
14	WHEREAS, according to this report, Louisiana ranks ninth in the nation for
15	homicides of women murdered by men; and
16	WHEREAS, firearms are the most common weapon used in domestic violence
17	homicides, and sixty-six percent of Louisiana domestic violence homicides were committed
18	with a gun; and
19	WHEREAS, while Louisiana protective orders state that under federal law, persons
20	subject to certain orders of protection are not permitted to own or operate firearms, and those
21	convicted of domestic violence-related misdemeanors and felonies are permanently

1 prohibited from owning firearms, because Louisiana law does not mirror federal legislation,

2 law enforcement and courts do not currently have an established statewide system to actively

3 collect and store firearms from those subject to protective orders or who have recently been

4 convicted of domestic violence crimes; and

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WHEREAS, the language contained in Louisiana protective orders is difficult to understand and does not state the consequences of possessing a firearm or ammunition while the order is in effect; and

WHEREAS, the order of protection should include a clear and concise statement explaining the federal law regarding prohibitions against possessing or purchasing firearms, such as the following recommended language from the U.S. Department of Justice: "As a result of this order, it may be unlawful for you to possess or purchase a firearm, including a rifle, pistol, or revolver, or ammunition pursuant to federal law under 18 U.S.C. 922(g)(8). If you have any questions whether these laws make it illegal for you to possess or purchase a firearm or ammunition, you should consult an attorney."

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request that the Judicial Administrator's Office of the Louisiana Supreme Court and the Steering Committee of Louisiana Protective Order Registry revise protective order language to simplify the provisions regarding possession or purchase of firearms.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted to the Judicial Administrator's Office of the Louisiana Supreme Court and the director of the Louisiana Protective Order Registry.

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)]

Smith HCR No. 128

Requests that the Judicial Administrator's Office of the Louisiana Supreme Court and the Steering Committee of Louisiana Protective Order Registry revise the protective order language to simplify the provisions regarding possession or purchase of firearms.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Judiciary to the original bill.

1. Made technical amendments.