

2016 Regular Session

HOUSE BILL NO. 316

BY REPRESENTATIVE IVEY

CRIME: Provides with respect to limitations on the rights of certain convicted felons to possess a firearm

1 AN ACT

2 To amend and reenact R.S. 14:95.1(C), relative to the crime of possession of a firearm or
3 concealed weapon by certain felons; to provide with respect to the restoration of
4 rights to possess a firearm; to exclude crimes of violence from the ten-year cleansing
5 period; to limit the restoration of those rights to certain gubernatorial pardons; and
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 14:95.1(C) is hereby amended and reenacted to read as follows:

9 §95.1. Possession of firearm or carrying concealed weapon by a person convicted
10 of certain felonies

11 * * *

12 C.(1) The Except as provided for in Paragraph (2) of this Subsection, the
13 provisions of this Section prohibiting the possession of firearms and carrying
14 concealed weapons by persons who have been convicted of certain felonies; shall not
15 apply to any person who has not been convicted of any felony for a period of ten
16 years from the date of completion of sentence, probation, parole, or suspension of
17 sentence.

18 (2) The provisions of this Subsection regarding the ten-year cleansing period
19 shall not apply to an offender who has been convicted of a crime of violence as
20 defined in R.S. 14:2(B). A person convicted of a crime of violence as defined in

1 R.S. 14:2(B) shall not be able to possess a firearm or carry a concealed weapon
2 unless that person has a gubernatorial pardon which expressly provides that the
3 person may ship, transport, possess, or receive firearms.

4 * *

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 316 Original

2016 Regular Session

Ivey

Abstract: Prohibits the possession of firearms by persons convicted of crimes of violence unless the offender obtains a certain type of pardon.

Present law provides that it is unlawful for persons convicted of crimes of violence, sex offenses, felony drug offenses and certain enumerated felonies to possess a firearm or carry a concealed weapon.

Present law provides for a 10-year cleansing period without subsequent conviction to restore the right to possess a firearm.

Proposed law excludes crimes of violence from the 10-year cleansing period and provides that persons convicted of a crime of violence shall not possess a firearm or carry a concealed weapon unless a governor's pardon expressly allows them to do so.

(Amends R.S. 14:95.1(C))