

2016 Regular Session

SENATE BILL NO. 202

BY SENATOR RISER

WEAPONS. Authorizes a victim of domestic abuse to carry a concealed weapon without a permit for a limited period of time. (8/1/16)

AN ACT

To enact R.S. 40:1379.3.2, relative to concealed handgun permits; to authorize the temporary carrying of a concealed handgun without a permit for persons who have obtained a domestic abuse protective order; to provide for applicability; to provide for civil penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 40:1379.3.2 is hereby enacted to read as follows:

§1379.3.2. Carrying a concealed handgun without a permit with valid protective order; time limitations

A. Any person on whose behalf the court has issued a permanent injunction or a protective order pursuant to a court-approved consent agreement or pursuant to the provisions of R.S. 9:361 et seq., R.S. 9:372, R.S. 46:2136, 2151, or 2173, Children's Code Article 1570, Code of Civil Procedure Article 3607.1, or Code of Criminal Procedure Articles 30, 327.1, 335.1, 335.2, or 871.1 to bring about the cessation of abuse shall be authorized to carry a concealed handgun without a permit if the person is twenty-one years of age or older and is not prohibited from purchasing or possessing a firearm under state

1 or federal law. The person is authorized to carry a concealed handgun without
 2 a permit for a period of ninety days after the permanent injunction or the
 3 protective order is issued or upon the expiration of the injunction or order,
 4 whichever is greater.

5 B. If during the period provided for in Subsection A of this Section, the
 6 person upon whose behalf the court has issued the permanent injunction or
 7 protective order applies for a concealed handgun permit, the person shall be
 8 authorized to continue to carry a concealed handgun without a permit pending
 9 final action regarding the issuance of the permit regardless of whether this time
 10 exceeds the time period provided in Subsection A of this Section.

11 C. The person upon whose behalf the court has issued the permanent
 12 injunction or protective order shall have the order in their possession at all
 13 times while they are carrying the concealed handgun.

14 D. Failure to carry the protective order at all times the person is carrying
 15 the concealed handgun shall be subject to a civil penalty not to exceed five
 16 hundred dollars.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Carla S. Roberts.

	DIGEST	
SB 202 Original	2016 Regular Session	Riser

Present law provides for the issuance of concealed handgun permits.

Proposed law retains present law.

Proposed law provides that any person on whose behalf the court has issued a domestic abuse protective order be authorized to carry a concealed handgun without a permit if the person is 21 years of age or older and not prohibited from purchasing or possessing a firearm under state or federal law.

Proposed law provides that the person can carry for 90 days after the order is issued or upon the expiration of the order, whichever is greater. If during this period the person applies for a concealed handgun permit, the person can carry until the final disposition regarding the issuance of the permit.

Proposed law requires the person to keep a copy of the order at all times while they are carrying a handgun pursuant to proposed law.

Proposed law provides a civil penalty not to exceed \$500 for carrying a concealed handgun without also having the protective order in their possession.

Effective August 1, 2016.

(Adds R.S. 40:1379.3.2)