

RÉSUMÉ DIGEST

ACT 332 (HB 93)

2017 Regular Session

Miguez

Existing law provides that any qualifying state trooper, sheriff, deputy sheriff, or municipal police officer shall be entitled to purchase his firearm at fair market value upon retirement and subject to the approval of the head of the law enforcement agency.

New law retains existing law and allows an immediate family member to purchase the firearm on behalf of a qualifying state trooper, sheriff, deputy sheriff, or municipal police officer, if the member was unable to do so prior to his death.

New law also allows an immediate family member of a state trooper, sheriff, deputy sheriff, or municipal police officer killed in the line of duty to purchase his duty firearm at fair market value subject to the approval of the head of the law enforcement agency.

New law prohibits an immediate family member from purchasing the firearm on behalf of the state trooper, sheriff, deputy sheriff, or municipal police officer if the immediate family member is prohibited from possessing a firearm under any state or federal law.

New law allows the qualifying officer to designate a specific immediate family member as the beneficiary to purchase his firearm upon his death. New law further provides that if no beneficiary is designated, the following immediate family members have the right of first refusal to purchase the duty firearm in the following order of precedence:

- (1) The surviving spouse.
- (2) A child of the deceased officer. If multiple children, then the oldest child shall have the right of first refusal.
- (3) A parent of the deceased officer.
- (4) A sibling of the deceased officer. If multiple siblings, then the oldest sibling shall have right of first refusal.

New law provides that if the duty firearm is part of an ongoing investigation or is being used or needed as evidence, the firearm may not be sold or transferred to an immediate family member until the firearm is no longer part of the investigation or is no longer needed or being used as evidence. New law further provides that the immediate family member with the right of first refusal to purchase the firearm may request the release of the firearm pursuant to existing law (R.S. 15:14).

Effective August 1, 2017.

(Amends R.S. 11:1307(B), 2185, and 2235; Adds R.S. 40:1665.4)