
DIGEST

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HB 271 Original

2018 Regular Session

Garofalo

Abstract: Creates an exception to the crime of carrying a firearm on a school campus for authorized teachers or administrators of those schools who possess a concealed handgun permit and who meet certain qualifications and conditions.

Present law (R.S.14:95.2) prohibits the carrying of firearms on school property and provides for certain exceptions to this prohibition.

Present law (R.S. 40:1379.3) provides for the issuance of a concealed handgun permit for a person who meets certain eligibility and training requirements. Present law provides that a concealed handgun permit does not authorize nor entitle the permit holder to carry a concealed handgun in certain places, including into a school, school campus, or a school bus.

Proposed law amends present law (R.S. 14:95.2 and R.S. 40:1379.3) to authorize a teacher or administrator of an elementary, secondary, or high school who has been issued a concealed handgun permit to carry a concealed handgun on school property, at a school-sponsored function, or in a firearm-free zone where the teacher or administrator is employed if the teacher or administrator meets the following qualifications and conditions:

- (1) The teacher or administrator has obtained authorization from the school governing body or administration to carry a concealed handgun on school property, at a school-sponsored function, or in a firearm-free zone where the teacher or administrator is employed.
- (2) The teacher or administrator shall complete a course in basic school policing in a program approved by the Council on Peace Officer Standards and Training which shall include instruction in crisis management, active shooter scenarios, hostile situations, gun safety and control, and accident prevention.
- (3) The teacher or administrator shall be qualified annually in the use of firearms by the Council on Peace Officer Standards and Training.
- (4) The teacher or administrator shall certify that he has met certain qualifications relative to mental health that are necessary to be issued a concealed handgun permit pursuant to present law.

Proposed law requires the cost of the firearm and ammunition to be at the expense of the teacher or administrator authorized to carry the concealed handgun pursuant to proposed law.

Proposed law requires the governing body or administration for each school to compile a list of each person authorized to carry a concealed handgun pursuant to proposed law, and to provide the list to the head of the law enforcement agency of the parish and municipality in which the school is located.

For the teacher or administrator who carries the concealed handgun pursuant to these provisions, proposed law provides immunity from civil liability for damages that arise as a result of his carrying a concealed handgun, except for grossly negligent acts or omissions or acts of willful or wanton misconduct.

Proposed law shall not be construed to limit the right of a school governing body or administration to prohibit or restrict access of those persons possessing a concealed handgun permit from carrying a firearm on school property.

(Amends R.S. 40:1379.3(N)(11); Adds R.S. 14:95.2(C)(9) and (H))