

2022 Regular Session

HOUSE BILL NO. 42

BY REPRESENTATIVE FRIEMAN

WEAPONS: Provides an exception to the crime of illegal carrying of weapons for retired justices of the peace

1 AN ACT

2 To amend and reenact R.S. 14:95(K), relative to carrying of weapons; to provide relative to  
3 the crime of illegal carrying of weapons; to provide for exceptions; and to provide  
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:95(K) is hereby amended and reenacted to read as follows:

7 §95. Illegal carrying of weapons

8 \* \* \*

9 K.(1) The provisions of this Section shall not prohibit a retired justice or  
10 judge of the supreme court, courts of appeal, district courts, parish courts, juvenile  
11 courts, family courts, city courts, retired attorney general, retired assistant attorneys  
12 general, retired district attorneys, retired assistant district attorneys, retired justices  
13 of the peace, and former members of either house of the legislature from possessing  
14 and concealing a handgun on their person provided that such retired person or former  
15 member of the legislature is qualified annually, at their expense, in the use of  
16 firearms by the Council on Peace Officer Standards and Training and has on their  
17 person valid identification showing proof of their status as a former member of the  
18 legislature or as a retired justice, judge, attorney general, assistant attorney general,  
19 district attorney, ~~or assistant district attorney,~~ or retired justice of the peace. For a  
20 former member of the legislature, the valid identification showing proof of status as

1 a former legislator required by the provisions of this Paragraph shall be a legislative  
2 badge issued by the Louisiana Legislature that shall include the former member's  
3 name, the number of the district that the former member was elected to represent, the  
4 years that the former member served in the legislature, and words that indicate the  
5 person's status as a former member of the legislature.

6 (2) The retired justice, judge, attorney general, assistant attorney general,  
7 district attorney, ~~or assistant district attorney,~~ justice of the peace, or former member  
8 of the legislature shall be qualified annually in the use of firearms by the Council on  
9 Peace Officer Standards and Training and have proof of qualification. However, this  
10 Subsection shall not apply to a retired justice, judge, attorney general, assistant  
11 attorney general, district attorney, ~~or assistant district attorney,~~ retired justice of the  
12 peace, or to a former member of the legislature who is medically retired based upon  
13 any mental impairment, or who has entered a plea of guilty or nolo contendere to or  
14 been found guilty of a felony offense. For the purposes of this Subsection, "retired  
15 district attorney" or "retired assistant district attorney" shall mean a district attorney  
16 or an assistant district attorney receiving retirement benefits from the District  
17 Attorneys' Retirement System.

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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)]

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HB 42 Original 2022 Regular Session Frieman

**Abstract:** Provides an exception to the crime of illegal carrying of weapons for retired justices of the peace.

Present law provides that present law shall not prohibit certain retired persons from possessing and concealing a handgun on their person when such persons are qualified annually in the use of firearms by P.O.S.T.

Present law also provides that the present law exception shall not apply to certain retired persons who are medically retired based on any mental impairment or who have plead guilty or nolo contendere to or have been found guilty of a felony offense.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

Proposed law retains present law and adds retired justices of the peace to the list of certain retired persons who are not prohibited from possessing and concealing a handgun when the person is qualified annually by P.O.S.T.

(Amends R.S. 14:95(K))