

RÉSUMÉ DIGEST

ACT 465 (HB 365)

2022 Regular Session

Seabaugh

Existing law (R.S. 14:95.1) provides relative to the crime of possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies. Present law further provides that it is unlawful for any person who has been convicted of a "crime of violence", as defined in present law, when that crime is a felony, to possess a firearm or carry a concealed weapon.

New law retains existing law.

Existing law (R.S. 14:2(B)) provides that a "crime of violence" is an offense that has, as an element, the use, attempted use, or threatened use of physical force against the person or property of another and that, by its very nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense, or an offense that involves the possession or use of a dangerous weapon. Existing law further designates certain existing law offenses and attempts to commit any of those offenses as "crimes of violence".

New law retains existing law and adds the existing law crime of possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies in violation of proposed law (R.S. 14:95.1(D)) to the list of crimes of violence.

New law provides that if a violation of existing law relative to a felon in possession is committed during the commission of a crime of violence, then the violation of existing law shall also be designated a crime of violence.

Effective upon signature of governor (June 15, 2022).

(Amends R.S. 14:95.1(D); Adds R.S. 14:2(B)(29) and 95.1(E))