

2023 Regular Session

HOUSE BILL NO. 234

BY REPRESENTATIVE FONTENOT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

WEAPONS/HANDGUNS: Provides relative to the concealed carrying of firearms

1 AN ACT

2 To amend and reenact R.S. 40:1379.1.1(E)(1), 1379.3(H)(1) and (2) and (P), 1379.3.1(A)(1),
3 and 1379.3.2(C), to enact R.S. 40:1379.3(H)(4), and to repeal R.S. 40:1379.3(V) and
4 (W) and 1379.3.2(B)(4), relative to concealed handgun permits; to provide relative
5 to the fees for statewide permits for concealed handguns; to provide relative to the
6 term lengths of concealed handgun permits; to provide relative to the Concealed
7 Handgun Permit Dedicated Fund Account; to provide relative to the fees for
8 temporary concealed handgun permits; to provide relative to lifetime concealed
9 handgun permits; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 40:1379.1.1(E)(1), 1379.3(H)(1) and (2) and (P), 1379.3.1(A)(1), and
12 1379.3.2(C) are hereby amended and reenacted and R.S. 40:1379.3(H)(4) is hereby enacted
13 to read as follows:

14 §1379.1.1. Concealed handgun permit issued by sheriffs; reciprocity; contiguous
15 parishes

16 * * *

17 E.(1) A sheriff who issues a concealed handgun permit pursuant to the
18 provisions of Subsection B of this Section shall require an applicant to comply with
19 the requirements of Subsection C of this Section ~~and shall charge the fee in the~~
20 ~~amount set forth in R.S. 40:1379.3(H)(2).~~

21 * * *

1 §1379.3. Statewide permits for concealed handguns; application procedures;
2 definitions

3 * * *

4 H.(1) The deputy secretary of public safety services of the Department of
5 Public Safety and Corrections shall, within two working days of the ~~initial~~
6 application, notify the chief of police of the municipality and the chief law
7 enforcement officer of the parish in which the applicant is domiciled of such
8 application. Those officers shall have ten days to forward to the deputy secretary
9 any information relating to the applicant's legal qualification to receive a permit.

10 (2) The deputy secretary of public safety services of the Department of
11 Public Safety and Corrections shall issue timely and without delay the concealed
12 handgun permit to all qualified applicants, which permit shall be for ~~a term of five~~
13 ~~years, at a cost of twenty-five dollars per year, the life of the permit holder~~ and which
14 shall be valid in all parishes statewide. ~~The division may promulgate rules for the~~
15 ~~purpose of providing for permits and fees for fewer than five years to the applicants~~
16 ~~requesting a shorter time period. Fees may be reduced proportionately for terms of~~
17 ~~fewer than five years.~~ The permit shall be retained by the permittee who shall
18 immediately produce it upon the request of any law enforcement officer.

19 * * *

20 (4) The provisions of this Subsection shall apply to any concealed handgun
21 permit issued or renewed on or after April 19, 1996.

22 * * *

23 P. Within three months of April 19, 1996, the Department of Public Safety
24 and Corrections shall promulgate rules and regulations in accordance with the
25 Administrative Procedure Act to provide an appeal process in the event that an
26 applicant is denied issuance of a permit. ~~The department may also promulgate~~
27 ~~educational requirements for renewal of concealed handgun permits.~~

28 * * *

1 §1379.3.1. Concealed Handgun Permit Dedicated Fund Account; assessment and
2 disposition of fees

3 A.(1) The Department of Public Safety and Corrections shall assess a fee not
4 to exceed ~~one hundred~~ twenty-five dollars for a concealed handgun permit with a
5 term of four years, to be submitted with the application to cover the administrative
6 costs of the investigation and other services required to process and issue the permit.
7 An additional fee of fifty dollars may be assessed to cover costs associated with the
8 background check of any individual who resided outside of the state of Louisiana at
9 any time during the fifteen years prior to submission of the application.

10 * * *

11 §1379.3.2. Temporary concealed handgun permit; protective order; time limitations

12 * * *

13 C.(†) The holder of a temporary concealed handgun permit shall not be
14 subject to the provisions of R.S. 40:1379.3(D) pending completion of the requisite
15 training for a concealed handgun permit issued pursuant to the provisions of R.S.
16 40:1379.3, but shall otherwise comply with all other restrictions and provisions of
17 R.S. 40:1379.3.

18 (2) ~~If the applicant for a temporary concealed handgun permit applies for a~~
19 ~~concealed handgun permit issued pursuant to the provisions of R.S. 40:1379.3, the~~
20 ~~twenty-five dollar fee paid shall be applied to the cost of a concealed handgun permit~~
21 ~~as provided for in R.S. 40:1379.3(H)(2) issued once the temporary concealed~~
22 ~~handgun permittee completes the requisite training pursuant to R.S. 40:1379.3(D).~~

23 * * *

24 Section 2. R.S. 40:1379.3(V) and (W) and 1379.3.2(B)(4) are hereby repealed in
25 their entirety.

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)]

HB 234 Original

2023 Regular Session

Fontenot

Abstract: Provides relative to fees and term lengths associated with concealed handgun permits.

Present law (R.S. 40:1379.1.1) provides a sheriff with authority to issue a concealed handgun permit to any person as well as reciprocity agreement and eligibility requirements.

Proposed law retains present law.

Present law (R.S. 40:1379.1.1(E)) provides that a sheriff who issues a concealed handgun permit pursuant to present law shall require an applicant to comply with the eligibility requirements of present law and shall charge the fee set forth in present law (R.S. 40:1379.3(H)(2)).

Proposed law removes the present law fee.

Present law (R.S. 40:1379.3) provides for statewide permits for concealed handguns, application procedures, and eligibility requirements.

Proposed law retains present law.

Present law (R.S. 40:1379.3(H)(1)) provides that the deputy secretary of public safety services of Dept. of Public Safety and Corrections (DPS&C) shall, within two working days of the initial application, notify the chief of police of the municipality and the chief law enforcement officer of the parish in which the applicant is domiciled of such application.

Proposed law removes the designation of "initial" from the application.

Present law (R.S. 40:1379.3(H)(2)) provides for time issuances of a concealed handgun permit for a term of five years, at a cost of \$25 per year, and which shall be valid in all parishes statewide.

Proposed law removes the present law fee.

Proposed law (R.S. 40:1379.3(H)(4)) provides that the provisions of present law shall apply to any concealed handgun permit issued or renewed on or after April 19, 1996.

Present law (R.S. 40:1379.3(P)) provides that within three months of April 19, 1996, DPS&C shall promulgate rules and regulations in accordance with the Administrative Procedure Act to provide an appeal process in the event that an applicant is denied issuance of a permit. Further provides that the department may also promulgate educational requirements for renewal of concealed handgun permits.

Proposed law removes the reference to the renewal of concealed handgun permits.

Present law (R.S. 40:1379.3.1) provides for the Concealed Handgun Permit Fund.

Present law (R.S. 40:1379.3.1(A)(1)) further provides that DPS&C shall assess a fee not to exceed \$100 for a concealed handgun permit with a term of four years, to be submitted with the application to cover the administrative costs of the investigation and other services

required to process and issue the permit. Further provides that an additional fee of \$50 may be assessed to cover costs associated with the background check of any individual who resided outside of the state of La. at any time during the 15 years prior to submission of the application.

Proposed law changes the fee from \$100 to \$25.

Present law (R.S. 40:1379.3.2) provides for the issuance of a temporary concealed handgun permit for a person on whose behalf a permanent injunction or protective order has been issued by a court.

Proposed law retains present law.

Present law (R.S. 40:1379.3.2(C)(2)) provides that if the applicant for a temporary concealed handgun permit applies for a concealed handgun permit issued pursuant to the provisions of present law (R.S. 40:1379.3), the \$25 fee paid shall be applied to the cost of a concealed handgun permit as provided for in present law (R.S. 40:1379.3(H)(2)) issued once the temporary concealed handgun permittee completes the requisite training pursuant to present law (R.S. 40:1379.3(D)).

Proposed law removes the requirement to complete training and removes the present law fee.

Present law (R.S. 40:1379.3(V)) provides for procedures, fees, and training for La. residents seeking a lifetime concealed handgun permit.

Proposed law repeals present law.

Present law (R.S. 40:1379.3(W)) provides for procedures and fees for active duty members, reserve members, and veterans of the armed forces of the U.S. seeking a concealed handgun permit.

Proposed law repeals present law.

Present law (R.S. 40:1379.3.2(B)(4)) requires payment of the \$25 fee provided by present law (R.S. 40:1379.3(H)(2)) when applying for a temporary concealed handgun permit.

Proposed law repeals present law.

(Amends R.S. 40:1379.1.1(E)(1), 1379.3(H)(1) and (2) and (P), 1379.3.1(A)(1), and 1379.3.2(C); Adds R.S. 40:1379.3(H)(4); Repeals R.S. 40:1379.3(V) and (W) and 1379.3.2(B)(4))