

2023 Regular Session

HOUSE BILL NO. 284

BY REPRESENTATIVE MARINO

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

WEAPONS/FIREARMS: Provides relative to the crime of possession of a firearm by a person convicted of certain felonies

1 AN ACT

2 To amend and reenact R.S. 14:95.1(A), relative to possession of a firearm or carrying of a  
3 concealed weapon by a felon; to provide for an additional offense which prohibits  
4 a person from possessing a firearm or carrying a concealed weapon; and to provide  
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:95.1(A) is hereby amended and reenacted to read as follows:

8 §95.1. Possession of firearm or carrying concealed weapon by a person convicted  
9 of certain felonies

10 A. It is unlawful for any person who has been convicted of, or has been  
11 found not guilty by reason of insanity for, ~~a crime of violence as defined in R.S.~~  
12 ~~14:2(B) which is a felony or simple burglary, burglary of a pharmacy, burglary of an~~  
13 ~~inhabited dwelling, unauthorized entry of an inhabited dwelling, felony illegal use~~  
14 ~~of weapons or dangerous instrumentalities, manufacture or possession of a delayed~~  
15 ~~action incendiary device, manufacture or possession of a bomb, or possession of a~~  
16 ~~firearm while in the possession of or during the sale or distribution of a controlled~~  
17 ~~dangerous substance, or any violation of the Uniform Controlled Dangerous~~  
18 ~~Substances Law which is a felony, or any crime which is defined as a sex offense in~~  
19 ~~R.S. 15:541, or any crime defined as an attempt to commit one of the above-~~  
20 ~~enumerated offenses under the laws of this state, or who has been convicted under~~

1 ~~the laws of any other state or of the United States or of any foreign government or~~  
2 ~~country of a crime which, if committed in this state, would be one of the above-~~  
3 ~~enumerated crimes, any of the following offenses or attempts to commit any of them~~  
4 ~~to possess a firearm or carry a concealed weapon.:~~

5 (1) Any felony crime of violence as defined in R.S. 14:2(B).

6 (2) Any sex offense as defined in R.S. 15:541.

7 (3) Simple burglary, simple burglary of a pharmacy, simple burglary of an  
8 inhabited dwelling, or unauthorized entry of an inhabited dwelling.

9 (4) Felony illegal use of weapons or dangerous instrumentalities.

10 (5) Manufacture or possession of a delayed action incendiary device.

11 (6) Manufacture or possession of a bomb.

12 (7) Any violation of R.S. 14:95(E).

13 (8) Any violation of R.S. 40:966(A), 967(A), 968(A), 969(A), or 970(A).

14 (9) Any crime under the laws of any other state or of the United States or of  
15 any foreign government or country which, if committed in this state, would be one  
16 of the above-enumerated crimes.

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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 284 Original

2023 Regular Session

Marino

**Abstract:** Adds any violation involving the manufacture or distribution of a controlled substance listed in Schedule I, II, III, IV, or V to the list of offenses which prohibit a person from possessing a firearm or carrying a concealed weapon.

Present law (R.S. 14:95.1) provides for the crime of possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies.

Proposed law retains present law.

Present law (R.S. 14:95.1(A)) provides that it is unlawful for any person to possess a firearm or carry a concealed weapon if he has been convicted of, or been found not guilty by reason of insanity for, any of the following offenses or attempts to commit any of the following offenses:

(1) A crime of violence as defined in present law (R.S. 14:2(B)) which is a felony.

- (2) Simple burglary, burglary of a pharmacy, burglary of an inhabited dwelling, or unauthorized entry of an inhabited dwelling.
- (3) Felony illegal use of weapons or dangerous instrumentalities.
- (4) Manufacture or possession of a delayed action incendiary device.
- (5) Manufacture or possession of a bomb.
- (6) Possession of a firearm while in the possession of or during the sale or distribution of a controlled dangerous substance, or any violation of the Uniform Controlled Dangerous Substances Law which is a felony.
- (7) Any crime which is defined as a sex offense in present law (R.S. 15:541).
- (8) Any crime defined as an attempt to commit one of the above-enumerated offenses under the laws of this state, or who has been convicted under the laws of any other state or of the United States or of any foreign government or country of a crime which, if committed in this state, would be one of the above-enumerated crimes.

Proposed law amends present law to include any violation involving the manufacture or distribution of a controlled substance listed in Schedule I, II, III, IV, or V as provided in present law (R.S. 40:966(A), 967(A), 968(A), 969(A), or 970(A)).

(Amends R.S. 14:95.1(A))