

SENATE BILL NO. 2

BY SENATORS MIGUEZ, ABRAHAM, ALLAIN, BASS, CATHEY, CLOUD, EDMONDS, FESI, HENRY, HENSGENS, HODGES, KLEINPETER, MCMATH, MORRIS, OWEN, REESE, SEABAUGH, STINE, TALBOT AND WOMACK AND REPRESENTATIVES AMEDEE, BEAULLIEU, DICKERSON AND MIKE JOHNSON

1 AN ACT

2 To enact R.S. 9:2793.12, relative to liability of persons authorized to carry a concealed
3 handgun; to provide with respect to persons authorized to own, possess, use, or carry
4 a concealed handgun; to provide relative to immunity from civil liability; to provide
5 for definitions; to provide for exceptions; to provide for an effective date; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 9:2793.12 is hereby enacted to read as follows:

9 §2793.12. Limitation of liability; concealed handgun permit; definitions;
10 exceptions

11 A.(1) As used in this Section, the term "authorized person" means any
12 person with a valid concealed handgun permit issued pursuant to R.S.
13 40:1379.1, 1379.1.1, 1379.3, or 1379.3.2, any qualified law enforcement officer
14 authorized to carry a concealed handgun pursuant to R.S. 40:1379.1.3 or
15 1379.1.4, or any person specified in R.S. 14:95(G)(3) and (4).

16 (2) The term "authorized person" shall also apply to a reserve or
17 active-duty member of any branch of the United States Armed Forces; a
18 member of the Louisiana National Guard or the Louisiana Air National Guard;
19 or a former member of any branch of the United States Armed Forces, the
20 Louisiana National Guard, or the Louisiana Air National Guard who has been
21 honorably discharged from service.

22 B. An authorized person as defined in this Section shall not be liable for
23 damages for any injury, death, or loss suffered by a perpetrator when the
24 injury, death, or loss is caused by a justified use of force or self-defense through
25 the discharge of the handgun by the authorized person. This provision shall
26 preclude any right of action by the perpetrator, his survivors, or his heirs.

1 C. The provisions of Subsection B of this Section shall not be applicable
2 to the following:

3 (1) Acts or omissions that constitute gross negligence or intentional
4 misconduct, or that result in a valid and final felony conviction in this state.

5 (2) Any person without authorization pursuant to Subsection A of this
6 Section at the time of the events giving rise to a claim.

7 D. Nothing in this Section shall be construed to limit or abrogate other
8 immunities, limitations on liability, or defenses provided for in any other
9 provision of law.

10 E. Nothing in this Section shall be construed to limit third party liability
11 and property damage exposure from a criminal actor's contributory negligence
12 that causes the lawful actions of the individual claiming limitation of liability.

13 Section 2. This Act shall become effective July 4, 2024.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____