

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.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_