SLS 24RS-196

ENGROSSED

2024 Regular Session

SENATE BILL NO. 105

BY SENATOR SEABAUGH

CRIME/PUNISHMENT. Provides relative to the crime of possession of or carrying a concealed weapon by a person convicted of certain felonies. (8/1/24)

1	AN ACT
2	To amend and reenact R.S. 14:95.1(B) and (D), relative to the crime of possession of
3	firearms or carrying concealed weapons by a person convicted of certain crimes; to
4	make the crime applicable to a person convicted of any felony; and to provide for
5	related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 14:95.1(B) and (D) are hereby amended and reenacted to read as
8	follows:
9	§95.1. Possession of firearm or carrying concealed weapon by a person convicted of
10	certain felonies
11	* * *
12	B. Whoever is found guilty of violating the provisions of this Section shall
13	be imprisoned at hard labor for not less than five nor more than twenty years without
14	the benefit of probation, parole, or suspension of sentence and be fined not less than
15	one thousand dollars nor more than five thousand dollars. Notwithstanding the
16	provisions of R.S. 14:27, whoever <u>Whoever</u> is found guilty of attempting to violate
17	the provisions of this Section shall be imprisoned at hard labor for not less than one

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1	year nor more than seven and one-half years and fined not less than five hundred
2	one thousand dollars nor more than two thousand five hundred five thousand
3	dollars.
4	* * *
5	D. If a violation of this Section is committed during the commission of a
6	crime of violence as defined in R.S. 14:2(B), and or the defendant has a prior
7	conviction of a crime of violence, then the violation of this Section shall be
8	designated as a crime of violence.
9	* * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jonathon Wagner.

DIGEST

SB 105 Engrossed

2024 Regular Session

Seabaugh

<u>Present law</u> provides relative to the crime of possession of firearms or carrying a concealed weapon by a person convicted of certain felonies.

<u>Present law</u> requires a person convicted of attempting to violate <u>present law</u> to be imprisoned at hard labor for not more than seven and one-half years and fined between \$500 and \$2,500.

<u>Proposed law</u> requires a person convicted of attempting to violate <u>proposed law</u> to be imprisoned at hard labor for at least one year but not more than seven and one-half years and fined between \$1,000 and \$5,000.

<u>Present law</u> requires that a violation of <u>present law</u> be deemed a crime of violence if the person violated <u>present law</u> while committing a crime of violence and also has a prior conviction for committing a crime of violence.

<u>Proposed law</u> requires that a violation of <u>present law</u> be deemed a crime of violence if the person either violated <u>present law</u> while committing a crime of violence or has a prior conviction for committing a crime of violence.

Proposed law otherwise retains present law.

Effective August 1, 2024.

(Amends R.S. 14:95.1(B) and (D))

Summary of Amendments Adopted by Senate

<u>Committee Amendments Proposed by Senate Committee on Judiciary C to the</u> <u>original bill</u>

1. Make a violation a crime of violence if the offender has a prior conviction for a crime of violence.

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