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

SB 507 Engrossed

DIGEST
2024 Regular Session

Talbot

Present law provides that a concealed handgun permittee is deemed under the influence of alcohol or a controlled dangerous substance if he has a blood alcohol reading of .05% or greater by weight of alcohol in the blood, or when a blood or urine test confirms the presence of a controlled dangerous substance.

Proposed law retains present law and applies it to any person carrying a concealed handgun.

Present law provides that a permittee who carries a concealed handgun must notify a police officer who approaches him in an official manner or with an identified official purpose that he has a handgun on his person, submit to a pat down, and allow the officer to temporarily disarm him.

Proposed law retains present law and applies it to any person carrying a concealed handgun.

Present law provides that a person cannot carry a concealed handgun while under the influence of alcohol or a controlled dangerous substance. Present law further provides that when a law enforcement officer is made aware that a concealed handgun permittee is carrying a concealed handgun and has reasonable grounds to believe that the person is under the influence, the officer may take temporary possession of the handgun. Present law further provides that when a law enforcement officer is made aware that an individual is behaving in a criminally negligent manner or is negligent in the carrying of a concealed handgun, the officer may seize the handgun until adjudication by a judge.

Proposed law retains present law and adds that a violation of present law also constitutes negligent carrying of a concealed handgun and is punishable in the same manner as that offense.

Present law provides that the crime of negligent carrying of a concealed handgun is the intentional or criminally negligent carrying of a concealed handgun by any person when:

- (1) It is foreseeable that the handgun may discharge or when others are placed in reasonable apprehension that the handgun may discharge.
- (2) The handgun is being carried, brandished, or displayed under circumstances that create a reasonable apprehension by witnesses or law enforcement officials that a crime is being committed or is about to be committed.

Proposed law retains present law and provides that present law also applies to a violation of present law relative to prohibitions on carrying while under the influence of alcohol or a controlled dangerous substance.

Present law provides that whoever commits the crime of negligent carrying of a concealed handgun will be fined up to \$500, or imprisoned for up to six months, or both.

Proposed law retains present law and provides that whoever commits the crime of negligent carrying of a concealed handgun in the French Quarter Management District will be fined between \$500 and \$1,000 or imprisoned for up to six months, or both.

Present law provides that the court may order the forfeiture of the person's handgun when convicted of negligent carrying of a concealed handgun.

Proposed law provides that a handgun forfeited under present law may be returned to a first time offender if he successfully completes a designated handgun training course and is not prohibited from possessing a firearm by state or federal law.

Proposed law otherwise retains present law.

Effective July 4, 2024.

(Amends R.S. 40:1379.3(I)(1) and (2) and (L) and 1382(A)(1) and (C); adds R.S. 40:1379.3(I)(7) and 1382(A)(3) and (D))