

DIGEST

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SB 507 Reengrossed

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 shall 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. Proposed law also provides that certain persons carrying a concealed handgun pursuant to present law are subject to present law penalties.

Present law provides that a person who violates present law shall be fined not more than \$500, or imprisoned for not more than six months, or both. Proposed law retains present law and provides that a person who violates present law in the French Quarter Management District shall be fined between \$500 and \$1,000 or imprisoned for up to six months, or both.

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 it is foreseeable that the handgun may discharge or when others are placed in reasonable apprehension that the handgun may discharge.

Proposed law retains present law and provides that law enforcement officers are included as individuals who may be placed in reasonable apprehension or have reasonable suspicion that a negligently carried handgun may discharge.

Present law provides that whoever commits the crime of negligent carrying of a concealed handgun shall 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 shall 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 shall be returned to a first time offender if he successfully completes a designated handgun training course within one year of conviction 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. 14:95(N) as enacted by Sec. 1 of Act 1 of the 2024 2nd Ex. Sess., 40:1379.3(I)(1) and (2) and (L), 1382(A)(1) and (C); Adds R.S. 40:1382(D))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Make technical changes.
2. Apply present law to non-permittees that carry a concealed handgun.
3. Increase fines for violations of present law that occur in the French Quarter Management District.
4. Provide for conditions that must be met by a defendant for the return of a forfeited handgun.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the reengrossed bill:

1. Make technical changes.
2. Specify the duties of law enforcement relative to reasonable suspicion, searches, and detention involving persons carrying concealed firearms.