

RÉSUMÉ DIGEST

ACT 535 (SB 507)

2024 Regular Session

Talbot

Existing 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.

New law retains existing law and applies it to any person carrying a concealed handgun.

Existing 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.

New law retains existing law and applies it to any person carrying a concealed handgun. New law also provides that certain persons carrying a concealed handgun pursuant to existing law are subject to existing law penalties.

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

Existing 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. New law retains existing law and provides that law enforcement officers are included as individuals who may be placed in reasonable apprehension that a negligently carried handgun may discharge.

Existing 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.

New law retains existing 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.

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

New law provides that a handgun forfeited under existing 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.

New law otherwise retains existing 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))