

For purposes of certain provisions of law governing the transfer of weapons, existing law defines "firearm" as a shotgun having a barrel of less than 18 inches in length; a rifle having a barrel of less than 16 inches in length; any weapon made from either a rifle or a shotgun if the weapon has been modified to have an overall length of less than 26 inches; any other firearm, pistol, revolver, or shotgun from which the serial number or mark of identification has been obliterated, from which a shot is discharged by an explosive, if that weapon is capable of being concealed on the person; or a machine gun, grenade launcher, flame thrower, bazooka, rocket launcher, excluding black powder weapons, or gas grenade; and includes a muffler or silencer for any firearm, whether or not the firearm is included within this definition. Further provides that pistols, revolvers, and those rifles and shotguns which are not included in this definition of firearms from which serial numbers or marks of identification have not been obliterated are specifically exempt from this definition.

Existing federal law provisions (26 U.S.C. 5812) and regulations of the Federal Bureau of Alcohol Tobacco and Firearms (ATF Form 4) require both federal and local law enforcement approval as part of the federal requirements to transfer a firearm. Existing law requires the same approval resulting in similar or identical information being collected on both a state and federal level to transfer certain firearms.

Prior law prohibited the possession or transfer of a certain type of firearm without prior approval of DPS&C. Provided that when a person transfers ownership of a certain type of firearm, as defined in prior law, the transferor and transferee must submit an application to DPS&C to effectuate the transfer. Provided for the seizure and forfeiture of firearms possessed or transferred in violation of prior law.

New law repeals prior law.

Prior law provided that no person shall receive, possess, carry, conceal, buy, sell, or transport any firearm which has not been registered or transferred in accordance with existing law.

New law changes prior law to prohibit the possession and purchase of firearms which have not been registered or transferred in accordance with federal existing law.

Effective August 1, 2013.

(Amends R.S. 40:1785; Repeals R.S. 40:1783, 1784, 1786, and 1787)