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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement, Jr.

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## DIGEST

Kostelka (SB 68)

Present law provides that no person can intentionally possess a firearm while on the premises of an alcoholic beverage outlet.

Present law defines "alcoholic beverage outlet" as any commercial establishment in which alcoholic beverages of either high or low alcoholic content are sold in individual servings for consumption on the premises, whether or not such sales are a primary or incidental purpose of the establishment's business.

Present law provides an exception to the present law prohibition for the owner or lessee of an alcoholic beverage outlet, an employee of such owner or lessee, or a law enforcement officer or other person vested with law enforcement authority who is acting in the performance of his official duties.

Proposed law removes the condition in present law that the law enforcement officer must be acting in the performance of his official duties.

Proposed law adds the following persons to the list of exceptions to the present law prohibition:

1. Sheriffs and their deputies, state and city police, constables and town marshals, or persons vested with police power when in the actual discharge of official duties.
2. Sheriffs and their deputies and state and city police who are not actually discharging their official duties, provided that such persons are full time, active, and certified by the Council on Peace Officer Standards and Training and have on their persons valid identification as duly commissioned law enforcement officers.
3. Certain retired law enforcement officers, except those officers who are medically retired based upon any mental impairment.
4. Certain active or retired reserve or auxiliary law enforcement officers.
5. Any person possessing a firearm in accordance with a concealed handgun permit issued pursuant to present law while on the premises of an alcoholic beverage outlet that has been issued a Class A-Restaurant permit as defined in present law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 14:95.5(C))