
HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 753 by Representative Moreno

1 AMENDMENT NO. 1

2 On page 1, delete line 2 in its entirety and insert "To enact R.S. 14:95.10 and R.S.
3 46:2136.3,"

4 AMENDMENT NO. 2

5 On page 1, delete line 7 in its entirety and insert "to provide for penalties; to"

6 AMENDMENT NO. 3

7 On page 1, delete lines 12 through 19 in their entirety

8 AMENDMENT NO. 4

9 On page 2, delete lines 1 through 19 in their entirety and insert the following:

10 "§95.10. Possession of firearm or carrying concealed weapon by a person convicted
11 of domestic abuse battery

12 A. It is unlawful for any person who has been convicted of the crime of
13 domestic abuse battery to possess a firearm or carry a concealed weapon.

14 B. Whoever is found guilty of violating the provisions of this Section shall
15 be imprisoned with or without hard labor for not less than one year nor more than
16 five years and shall be fined not less than five hundred dollars nor more than one
17 thousand dollars.

18 C. A person shall not considered to be convicted of R.S. 14:35.3 for the
19 purposes of this Section unless the person was represented by counsel and convicted
20 by a jury, or the person knowingly and intelligently waived his right to counsel or the
21 right to a jury trial. A person shall not be considered convicted of R.S. 14:35.3 for
22 the purposes of this Section if the conviction has been expunged, set aside, or is an
23 offense for which the person has been pardoned or had civil rights restored unless the
24 pardon, expungement, or restoration of civil rights expressly provides that the person
25 may not ship, possess, or receive firearms.

26 D. For the provisions of this Section, "firearm" means any pistol, revolver,
27 rifle, shotgun, machine gun, submachine gun, black powder weapon, or assault rifle
28 which is designed to fire or is capable of firing fixed cartridge ammunition or from
29 which a shot or projectile is discharged by an explosive.

30 E. The provisions of this Section prohibiting the possession of firearms and
31 carrying concealed weapons by persons who have been convicted of domestic abuse
32 battery shall not apply to any person who has not been convicted of domestic abuse
33 battery for a period of ten years from the date of completion of sentence, probation,
34 parole, or suspension of sentence."

35 AMENDMENT NO. 5

36 On page 2, line 20, after "R.S. 46:2136.3" and before "hereby" delete "2140(A)(5) are" and
37 insert "is"

38 AMENDMENT NO. 6

39 On page 2, at the end of line 28, delete the period "." and insert the following:

1 "if both of the following occur:
2 (1) The permanent injunction or protective order includes a finding that the
3 person subject to the permanent injunction or protective order represents a credible
4 threat to the physical safety of a family member or household member.
5 (2) The permanent injunction or protective order informs the person subject
6 to the permanent injunction or protective order that the person is prohibited from
7 possessing a firearm pursuant to the provisions of 18 USC 922(g)(8) and R.S.
8 46:2136.3."

9 AMENDMENT NO. 7

10 On page 3, delete lines 6 through 17 in their entirety and insert the following:

11 "Section 3. The Judicial Administrator's Office, Louisiana Supreme Court is hereby
12 directed to amend the Uniform Abuse Prevention Order to include a reference to R.S.
13 46:2136.3, enacted by the provisions of this Act, to those portions of the order which notify
14 and warn the person against whom the order is issued of the federal prohibitions relative to
15 firearms and ammunition."