

2015 Regular Session

HOUSE BILL NO. 67

BY REPRESENTATIVE COX

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

WEAPONS/FIREARMS: Excludes retired district attorneys and retired assistant district attorneys from prosecution for the illegal carrying of weapons in certain circumstances

1 AN ACT

2 To amend and reenact R.S. 14:95(K), relative to the crime of illegal carrying of weapons;
3 to provide for an exception for retired district attorneys and assistant district
4 attorneys under certain circumstances; to provide for definitions; to provide for
5 exceptions; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:95(K) is hereby amended and reenacted to read as follows:

8 §95. Illegal carrying of weapons

9 * * *

10 K.(1) The provisions of this Section shall not prohibit a retired justice or
11 judge of the supreme court, courts of appeal, district courts, parish courts, juvenile
12 courts, family courts, ~~and~~ city courts, retired district attorneys, and retired assistant
13 district attorneys, from possessing and concealing a handgun on their person
14 provided that such retired justice, ~~or judge, district attorney, or assistant district~~
15 attorney is certified qualified annually in the use of firearms by the Council on Peace
16 Officer Standards and Training and has on their person valid identification showing
17 proof of their status as a retired justice, ~~or judge, district attorney, or assistant district~~
18 attorney.

1 (2) The retired justice, ~~or judge,~~ district attorney, or assistant district attorney
 2 shall be qualified annually in the use of firearms by the Council on Peace Officer
 3 Standards and Training and have proof of ~~such certification~~ qualification. However,
 4 this Subsection shall not apply to a retired justice, ~~or judge,~~ district attorney, or
 5 assistant district attorney who is medically retired based upon any mental
 6 impairment; ~~or who has entered a plea of guilty or nolo contendere to or been found~~
 7 guilty of a felony offense. For the purposes of this Subsection, "retired district
 8 attorney" or "retired assistant district attorney" shall mean a district attorney or an
 9 assistant district attorney receiving retirement benefits from the District Attorneys'
 10 Retirement System.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 67 Reengrossed

2015 Regular Session

Cox

Abstract: Provides an exception to the crime of illegal carrying of weapons for retired district attorneys and retired assistant district attorneys when they are qualified in the use of firearms by P.O.S.T.

Present law provides for the crime of illegal carrying of weapons and provides exceptions to the crime for a retired justice or judge of the supreme court, courts of appeal, district courts, parish courts, juvenile courts, family courts, and city courts when the judge or justice is P.O.S.T. certified.

Proposed law expands this present law exception to include retired district attorneys and retired assistant district attorneys. Further provides that present law does not apply to retired justices or judges of the supreme court, courts of appeal, district courts, parish courts, juvenile courts, family courts, and city courts, retired district attorneys, and retired assistant district attorneys if they have entered a plea of guilty or nolo contendere to or been found guilty of a felony offense.

Proposed law defines "retired district attorney" and "retired assistant district attorney".

(Amends R.S. 14:95(K))

Summary of Amendments Adopted by House

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

1. Define retired district attorney and retired assistant district attorney.
2. Change "certified" to "qualified" regarding annual training in the use of firearms.

The House Floor Amendments to the engrossed bill:

1. Create an exception for retired justices or judges of the supreme court, courts of appeal, district courts, parish courts, juvenile courts, family courts, and city courts, retired district attorneys, and retired assistant district attorneys if they have entered a plea of guilty or nolo contendere to or been found guilty of a felony offense.