The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Dawn Romero Watson.

DIGEST

SB 153 Original 2016 Regular Session Claitor

Present law requires each manufacturer, importer, and dealer in any firearm to identify it with a number or other identification mark approved by the DPS&C (Public Safety Services) and to mark or stamp or otherwise place the number or mark on the firearm in a manner approved by DPS&C (Public Safety Services).

Proposed law retains present law.

Present law prohibits the obliteration, removal, change or alteration of the number or mark.

Proposed law retains present law.

Present law provides that whenever, in a trial for a violation of present law, the defendant is shown to have or to have had possession of any firearm upon which the number or mark was obliterated, removed, changed, or altered, that possession is sufficient evidence to authorize a conviction unless the defendant explains it to the satisfaction of the court. However, in the case of *State v Taylor*, 396 So.2d 1278, 1281 (La. 1981), the Louisiana Supreme Court held that the presumption of guilt in present law was unconstitutional.

Proposed law deletes the portion of present law that was held unconstitutional.

Effective August 1, 2016.

(Amends R.S. 40:1788(B))