
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Carla S. Roberts.

SB 406 Original	DIGEST 2018 Regular Session	Riser
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Present law provides for the crime of carrying a firearm or dangerous weapon by a student or nonstudent on school property, at school-sponsored functions, or in a firearm-free zone.

Present law provides exemptions to the following persons who allowed to carry a firearm or dangerous weapon on school campus:

- (1) A federal law enforcement officer or a Louisiana-commissioned state, or local POST Certified law enforcement officer.
- (2) A school official or employee acting during the normal course of his employment or a student acting under the direction of such school official or employee.
- (3) Any person having the written permission of the principal.
- (4) A public postsecondary education institution is leased to a nonprofit corporation or association for the purpose of holding a fundraising event, the lease may authorize and provide for the auction and sale of firearms at the event.
- (5) The possession of a firearm occurring within 1,000 feet of school property and entirely on private property, or entirely within a private residence, or in accordance with a concealed handgun permit issued pursuant to present law.
- (6) Any constitutionally protected activity which cannot be regulated by the state, such as a firearm contained entirely within a motor vehicle.
- (7) Any student carrying a firearm to or from a class, in which he is duly enrolled, that requires the use of the firearm in the class.
- (8) A student enrolled or participating in an activity requiring the use of a firearm including but not limited to any ROTC function under the authorization of a university.
- (9) A student who possesses a firearm in his dormitory room or while going to or from his vehicle or any other person with permission of the administration.

Present law provides that a federal law enforcement officer or a Louisiana-commissioned state, or local POST Certified law enforcement officer.

Proposed law clarifies that a federal law or La.-commissioned law enforcement agent is allowed to

carry a weapon on campus, whether the officer is active duty or retired and whether he is compensated or volunteers his services.

Present law provides that school official or employee acting during the normal course of his employment or a student acting under the direction of such school official or employee.

Proposed law clarifies that a school official specifically includes the principal who is acting during the normal course of his employment.

Proposed law adds any retired teacher or parent, whether compensated or volunteers his services, to carry a weapon on campus if he meets all of the following requirements:

- (1) Is a veteran, military personnel, or a reservist.
- (2) Possesses a valid concealed handgun permit.
- (3) Has been given written permission by the principal for the safety and security of the students and faculty.

Present law provides that every school must have a "crisis management and response plan" which means a plan to do the following:

- (1) Address school safety and to be prepared if the incidence of a shooting or other violence takes place at schools, on school buses, and at school-related activities.
- (2) To respond effectively to violent incidents.
- (3) To insure that every student, teacher, and school employee has access to a safe, secure, and orderly school that is conducive to learning.

Present law further provides that, if a school has a resource officer or a Junior Reserve Officer Training Corps instructor on staff, those individuals shall join the principal and local law enforcement, fire, public safety, and emergency preparedness officials in preparing the plan and participate in any review or revision of the plan.

Present law provides that any city, parish, or other local public school system and any nonpublic school may make or enter into agreements with a local law enforcement agency to provide for school resource officers.

Proposed law retains present law but adds school security guards to the list of persons who may enter into an agreement with the principal to assist the principal in protecting the school.

Proposed law provides that an active duty or retired peace officer may enter into an agreement with the principal to serve as a school security guard so long as he meets all the annual requirements for training and competency in order to maintain a valid concealed handgun permit.

Proposed law provides that any retired teacher or parent, whether compensated or volunteers his services, may enter into an agreement to serve as a school security guard so long as he meets all of the following requirements:

- (1) Is a veteran or military reservist.
- (2) Meets all the annual requirements for training and competency in order to maintain a valid concealed handgun permit.
- (3) Has been given written permission or enters into a written agreement with the principal for the safety and security of the students and faculty.

Effective August 1, 2018.

(Amends R.S. 14:95(A)(5)(b) and 95.2(C) and R.S. 17:416.16(A)(1) and (E) and 416.19(A); adds R.S. 17:416.19(D) and (E))