
DIGEST

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HB 732 Original

2018 Regular Session

Talbot

Abstract: Regarding persons prohibited from possessing a firearm, requires the reporting of an acquittal by reason of insanity or court determination that a person does not have the mental capacity to proceed with a criminal trial for any crime.

Present law requires each district clerk of court to report to the La. Supreme Court for reporting to the National Instant Criminal Background Check System database certain identifying information of any adult who is prohibited from possessing a firearm, by reason of a conviction or adjudication in a court of that district for any of the following:

- (1) A conviction of a crime listed in the provision of present law (R.S. 14:95.1) that prohibits the possession of a firearm or carrying of a concealed weapon by a person convicted of certain felonies.
- (2) A verdict of an acquittal of a crime listed in present law (R.S. 14:95.1) by reason of insanity.
- (3) A court determination that a person does not have the mental capacity to proceed with a criminal trial for a crime listed in present law (R.S. 14:95.1).
- (4) A court order requiring that a person be involuntarily committed to an inpatient mental health treatment facility.
- (5) A court order prohibiting a person from possessing a firearm or restricting a person in the use of a firearm.
- (6) A conviction for a felony violation of the crime of domestic abuse battery.

Proposed law amends present law to require the reporting of an acquittal by reason of insanity or a court determination that the person does not have the mental capacity to proceed with a criminal trial for any crime, instead of limiting it to only those crimes listed in the provision of present law that prohibits the possession of a firearm or carrying of a concealed weapon by a person convicted of certain felonies. Proposed law otherwise retains present law.

(Amends R.S. 13:753(A)(2) and (3))