

## HOUSE SUMMARY OF SENATE AMENDMENTS

HB 140

2020 Regular Session

Miguez

WEAPONS: Provides relative to the preemption of state law for firearms

### Synopsis of Senate Amendments

1. Adds the following to the list of places into which a concealed handgun permit holder is not authorized nor entitled to carry a concealed handgun and in which the carrying of a concealed handgun is prohibited:
  - (a) Sporting events, concerts, festivals, or gatherings in which a paper or electronic ticket is required for admission.
  - (b) A building containing offices of the governing authority of a political subdivision.
  - (c) A building containing state offices.
2. Amends proposed law to authorize a political subdivision to enact an ordinance prohibiting the possession of a firearm in any location in which the carrying of a concealed handgun is prohibited and in which a concealed handgun permit holder is not authorized to carry a concealed handgun, and not just those locations that are commercial establishments or public buildings.

### Digest of Bill as Finally Passed by Senate

Present law (R.S. 40:1379.3) provides for the issuance of a concealed handgun permit which authorizes the permit holder to carry a concealed handgun except in the following locations in which the carrying of a concealed handgun is prohibited and in which a concealed handgun permit holder is not authorized nor entitled to carry a concealed handgun:

- (1) A law enforcement office, station, or building.
- (2) A detention facility, prison, or jail.
- (3) A courthouse or courtroom, provided that a judge may carry such a weapon in his own courtroom.
- (4) A polling place.
- (5) A meeting place of the governing authority of a political subdivision.
- (6) The state capitol building.
- (7) Certain portions of airport facilities.
- (8) Any church, synagogue, mosque, or other similar place of worship, eligible for qualification as a tax-exempt organization under federal law, except under certain circumstances.
- (9) A parade or demonstration for which a permit is issued by a governmental entity.
- (10) Any portion of the permitted area of an establishment that has been granted a Class A-General retail permit pursuant to present law to sell alcoholic beverages for consumption on the premises.
- (11) Any school, school campus, or school bus as defined in present law.

Proposed law amends present law to add the following to the list of places into which a concealed handgun permit holder is not authorized nor entitled to carry a concealed handgun:

- (1) Sporting events, concerts, festivals, or gatherings in which a paper or electronic ticket is required for admission.

- (2) A building containing offices of the governing authority of a political subdivision.
- (3) A building containing state offices.

Present law (R.S. 40:1796) limits a political subdivision's authority to enact certain ordinances or regulations involving firearms. In this regard, present law prohibits a governing authority of a political subdivision from enacting any ordinance or regulation that is more restrictive than state law concerning the sale, purchase, possession, ownership, transfer, transportation, license, or registration of firearms, ammunition, or components of firearms or ammunition.

However, present law (R.S. 40:1796) further provides that this provision of present law does not apply to the authority of political subdivisions to prohibit the possession of a weapon or firearm in certain commercial establishments and public buildings.

Proposed law amends present law to provide that a political subdivision may only prohibit the possession of a weapon or firearm in the locations enumerated in the present law (R.S. 40:1379.3) list of places in which the carrying of a concealed handgun is prohibited and in which a concealed handgun permit holder is not authorized to carry a concealed handgun.

(Amends R.S. 40:1379.3(N)(5) and (6) and 1796(A); Adds R.S. 40:1379.3(N)(12))