
DIGEST

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HB 326 Original

2021 Regular Session

Phelps

Abstract: Removes the requirement that the handgun be possessed on the offender's person in order for the crime of illegal possession of a handgun by a juvenile to apply, creates the crime of possession of a firearm or carrying of a concealed weapon by a juvenile on probation or parole, and provides elements and criminal penalties for the offense.

Present law prohibits any person who has not attained the age of 18 years from knowingly possessing any handgun on his person.

Present law provides certain criminal penalties and exceptions to the offense.

Proposed law retains present law but removes the requirement that the handgun be possessed on the offender's person in order for the offense to apply.

Proposed law provides that it is unlawful for a juvenile who has been placed on probation or parole to possess a firearm or carry a concealed weapon while on probation or parole.

Proposed law also provides that on a first or subsequent conviction, the offender shall be fined not less than \$500 and not more than \$1000 and shall be imprisoned with or without hard labor for not less than six months and not more than five years.

Proposed law specifies that at least 90 days of the term of imprisonment shall be served without benefit of probation, parole, or suspension of sentence.

(Amends R.S. 14:95.8(A); Adds R.S. 14:95.8.1)