

2022 Regular Session

HOUSE BILL NO. 483

BY REPRESENTATIVE TRAVIS JOHNSON

WEAPONS/HANDGUNS: Provides relative to the restoration of gun rights

1 AN ACT

2 To amend and reenact R.S. 14:95.1(C) and R.S. 40:1379.3(C)(6) and (10), relative to  
3 concealed weapons; to provide relative to the carrying of concealed weapons by a  
4 person convicted of felonies; to provide relative to concealed handgun permits; and  
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:95.1(C) is hereby amended and reenacted to read as follows:

8 §95.1. Possession of firearm or carrying concealed weapon by a person convicted  
9 of certain felonies

10 \* \* \*

11 C. The provisions of this Section prohibiting the possession of firearms and  
12 carrying concealed weapons by persons who have been convicted of, or who have  
13 been found not guilty by reason of insanity for, certain felonies shall not apply to any  
14 person who has not been convicted of, or who has not been found not guilty by  
15 reason of insanity for, any felony for a period of ~~ten~~ five years from the date of  
16 completion of sentence, probation, parole, suspension of sentence, or discharge from  
17 a mental institution by a court of competent jurisdiction.

18 \* \* \*

19 Section 2. R.S. 40:1379.3(C)(6) and (10) are hereby amended and reenacted to read  
20 as follows:

1 §1379.3. Statewide permits for concealed handguns; application procedures;  
2 definitions

3 \* \* \*

4 C. To qualify for a concealed handgun permit, a Louisiana resident shall:

5 \* \* \*

6 (6) Not be ineligible to possess a firearm by virtue of having been convicted  
7 of a felony. A conviction for a felony offense which has been expunged prior to  
8 August 1, 2014, pursuant to the provisions of R.S. 44:9 or on or after August 1, 2014,  
9 pursuant to Title XXXIV of the Code of Criminal Procedure shall not be considered  
10 a conviction for the purposes of this Paragraph if ~~ten~~ five years have elapsed since  
11 the completion of the resident's probation, parole, or suspended sentence. However,  
12 the provisions of this Paragraph shall not apply to a conviction for a crime of  
13 violence as defined in R.S. 14:2(B) even if that conviction has been expunged. A  
14 conviction for which a person has been pardoned by the governor shall not be  
15 considered a conviction for purposes of this Paragraph, unless that pardon expressly  
16 provides that the person may not ship, transport, possess, or receive firearms.

17 \* \* \*

18 (10) Not have been convicted of, have entered a plea of guilty or nolo  
19 contendere to, or not be charged under indictment or a bill of information for any  
20 crime of violence or any crime punishable by imprisonment for a term of one year  
21 or greater. However, a person who has been convicted of a violation of 18 U.S.C.  
22 491(a) shall be permitted to qualify for a concealed handgun permit if fifteen or more  
23 years has elapsed between the date of application and the successful completion or  
24 service of any sentence, deferred adjudication, or period of probation or parole. A  
25 conviction for a felony offense which has been expunged prior to August 1, 2014,  
26 pursuant to the provisions of R.S. 44:9 or on or after August 1, 2014, pursuant to  
27 Title XXXIV of the Code of Criminal Procedure shall not be considered a conviction  
28 for the purposes of this Paragraph if ~~ten~~ five years have elapsed since the completion  
29 of the resident's probation, parole, or suspended sentence. However, the provisions

1 of this Paragraph shall not apply to a conviction for a crime of violence as defined  
 2 in R.S. 14:2(B) even if that conviction has been expunged. A conviction for which  
 3 a person has been pardoned by the governor shall not be considered a conviction for  
 4 purposes of this Paragraph, unless that pardon expressly provides that the person  
 5 may not ship, transport, possess, or receive firearms.

6 \* \* \*

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 483 Original

2022 Regular Session

Travis Johnson

**Abstract:** Changes the amount of time required to lapse before a person with a felony conviction is allowed to possess a concealed weapon or apply for a concealed handgun permit from 10 years to five years.

Present law prohibits persons convicted of certain felony offenses from possessing firearms or carrying concealed weapons.

Present law further provides an exception to the prohibition of possessing a firearm for any person who has not been convicted of any felony for a period of 10 years from the date of completion of sentence, probation, parole, or suspension of sentence.

Proposed law retains present law and changes the time period from 10 years to five years with regard to the time elapsed since the person's probation, parole, or suspended sentence.

Present law provides that a person is ineligible for a concealed handgun permit if he has been convicted of a felony offense even if the conviction has been expunged.

Present law further provides that to qualify for a concealed handgun permit, a La. resident shall not have been convicted of, have entered a plea of guilty or nolo contendere to, or not be charged under indictment or a bill of information for any crime of violence or any crime punishable by imprisonment for a term of one year or greater.

Present law provides that a person who has obtained an expungement for a felony conviction shall not be considered ineligible to obtain a concealed handgun permit if:

- (1) The person's felony conviction was not for a crime of violence and 10 years have elapsed since the completion of the person's probation, parole, or suspended sentence.
- (2) The person has been pardoned by the governor and the pardon does not expressly prohibit the person from shipping, transporting, possessing, or receiving firearms.

Proposed law retains present law and changes the time period from 10 years to five years with regard to the time elapsed since the completion of the person's probation, parole, or suspended sentence.

(Amends R.S. 14:95.1(C) and R.S. 40:1379.3(C)(6) and (10))