

2022 Regular Session

SENATE BILL NO. 53

BY SENATOR FOIL

WEAPONS. Provides certain exceptions to the crime of illegal carrying of weapons.  
(gov sig)

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AN ACT

To amend and reenact R.S. 14:95(K), relative to the crime of illegal carrying of weapons;  
to provide an exception to illegal carrying of weapons for certain retired federal  
officials; to provide definitions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:95(K) is hereby amended and reenacted to read as follows:

§95. Illegal carrying of weapons

\* \* \*

K.(1) The provisions of this Section shall not prohibit a retired justice or  
judge of the supreme court, courts of appeal, district courts, parish courts, juvenile  
courts, family courts, city courts, **federal courts**, retired attorney general, retired  
assistant attorneys general, retired district attorneys, retired assistant district  
attorneys, **retired United States attorneys, retired assistant United States  
attorneys, or retired investigators**, and former members of either house of the  
legislature from possessing and concealing a handgun on their person provided that  
such retired person or former member of the legislature is qualified annually, at their  
expense, in the use of firearms by the Council on Peace Officer Standards and

1 Training and has on their person valid identification showing proof of their status as  
 2 a former member of the legislature or as a retired justice, judge, attorney general,  
 3 assistant attorney general, district attorney, ~~or~~ assistant district attorney, United  
 4 States attorney, or assistant United States attorney or investigator. For a former  
 5 member of the legislature, the valid identification showing proof of status as a  
 6 former legislator required by the provisions of this Paragraph shall be a legislative  
 7 badge issued by the Louisiana Legislature that shall include the former member's  
 8 name, the number of the district that the former member was elected to represent, the  
 9 years that the former member served in the legislature, and words that indicate the  
 10 person's status as a former member of the legislature.

11 (2) The retired justice, judge, attorney general, assistant attorney general,  
 12 district attorney, or assistant district attorney or former member of the legislature  
 13 shall be qualified annually in the use of firearms by the Council on Peace Officer  
 14 Standards and Training and have proof of qualification. However, this Subsection  
 15 shall not apply to a retired justice, judge, attorney general, assistant attorney general,  
 16 district attorney, ~~or~~ assistant district attorney, United States attorney, assistant  
 17 United States attorney or investigator, or to a former member of the legislature  
 18 who is medically retired based upon any mental impairment, or who has entered a  
 19 plea of guilty or nolo contendere to or been found guilty of a felony offense.

20 (3) For the purposes of this Subsection:

21 (a) ~~Retired~~ "**Retired** district attorney" or "retired assistant district attorney"  
 22 ~~shall mean~~ means a district attorney or an assistant district attorney receiving  
 23 retirement benefits from the District Attorneys' Retirement System.

24 (b) "**Retired United States attorney**" means a presidentially appointed  
 25 United States attorney who separated from service in good standing.

26 (c) "**Retired assistant United States attorney**" or "**retired investigator**"  
 27 means an assistant United States attorney or investigator receiving retirement  
 28 benefits from the Federal Employees Retirement System.

29 \* \* \*

1           Section 2. This Act shall become effective upon signature by the governor or, if not  
2 signed by the governor, upon expiration of the time for bills to become law without signature  
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
5 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Whitney Kauffeld.

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## DIGEST

SB 53 Engrossed

2022 Regular Session

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Present law provides certain exceptions to the crime of illegal carrying of weapons.

Proposed law retains present law and adds an exception for retired judges of federal courts, retired United States attorneys, retired assistant United States attorneys and retired investigators.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 14:95(K))