WEAPONS. Prohibits possession of firearms, ammunition, or electric weapons or devices by certain felons. (8/1/22)

AN ACT
To amend and reenact R.S. 14:95.1(A), relative to illegal carrying and discharge of weapons; to prohibit possession of a firearm or carrying a concealed weapon by persons convicted of certain felonies; to provide for consideration of certain juvenile offenses; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

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

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

A. (1) It is unlawful for any person who has been convicted of, or has been found not guilty by reason of insanity for, a crime of violence as defined in R.S. 14:2(B) which is a felony or simple burglary, burglary of a pharmacy, burglary of an inhabited dwelling, unauthorized entry of an inhabited dwelling, felony illegal use of weapons or dangerous instrumentalities, manufacture or possession of a delayed action incendiary device, manufacture or possession of a bomb, or possession of a firearm while in the possession of or during the sale or distribution of a controlled dangerous substance, or any violation of the Uniform Controlled Dangerous Substance Law: Provided, that it is not unlawful to possess or bear a firearm: Provided, too, that it is not unlawful to possess or bear a firearm while in the possession of a person under the age of seventeen (17) years if the firearm is being used for the lawful purposes of a member of the Armed Forces, or a police officer, or a law enforcement officer, or a law enforcement officer as defined in R.S. 14:95.1(B).
Substances Law which is a felony, or any crime which is defined as a sex offense in
R.S. 15:541, or any crime defined as an attempt to commit one of the above-
enumerated offenses under the laws of this state, or who has been convicted under
the laws of any other state or of the United States or of any foreign government or
country of a crime which, if committed in this state, would be one of the above-
enumerated crimes, to possess a firearm or carry a concealed weapon.

(2)(a) This Section shall also apply to any person who committed a
felony-grade delinquent act described in Paragraph (1) of this Subsection while
in possession of a firearm, if adjudicated when that person was sixteen or
seventeen years of age, and the person is under age twenty-four years at the
time of the violation of this Section.

(b) The provisions of this Paragraph shall not apply to a person who is
hunting pursuant to a valid license issued to him pursuant to the laws of this
state with a firearm that is lawful for hunting pursuant to the official
regulations of the Department of Wildlife and Fisheries, federal laws, and any
applicable local or parish ordinances.

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

DIGEST
SB 379 Engrossed  2022 Regular Session Peacock

Present law prohibits any person convicted of, or found not guilty by reason of insanity for,
a crime of violence as defined in present law, or any crime defined as an attempt to commit
a crime of violence under the laws of Louisiana, or has been convicted under the laws of any
other state or of the United States or of any foreign government or country of a crime which,
if committed in this state, would be a crime of violence, from possessing a firearm or
carrying a concealed weapon.

Proposed law retains present law and extends the prohibition against possessing a firearm
or carrying a concealed weapon to persons that committed a felony-grade delinquent act (a
crime of violence committed by a child) when that person was 16 or 17 years old and that
person is under the age of 24 when the offense is committed.

Proposed law provides an exception to proposed law for a person hunting lawfully with a
license issued pursuant to official regulations of the Dept. of Wildlife and Fisheries.
Effective August 1, 2022.

(Amends R.S. 14:95.1(A))