

GREEN SHEET REDIGEST

HB 585

2022 Regular Session

Freeman

WEAPONS/FIREARMS: Provides relative to reporting of certain firearm data to the La. Commission on Law Enforcement,

DIGEST

Present law (C.Cr.P. Art. 1002) provides for the transfer of a firearm when a person has been convicted of certain crimes.

Present law (C.Cr.P. Art. 1003) provides for the transfer or storage of transferred firearms.

Proposed law provides that the sheriff of each parish shall report on an annual basis to the La. Commission on Law Enforcement and Administration of Criminal Justice the following aggregate data:

- (1) The total number of civil orders to transfer firearms received by the sheriff's office pursuant to present law (C.Cr.P. Art. 1002).
- (2) The total number of criminal orders to transfer firearms received by the sheriff's office pursuant to present law (C.Cr.P. Art. 1002).
- (3) The total number of proof of transfer forms completed and retained by the sheriff's office as required by present law (C.Cr.P. Art. 1002).
- (4) The total number of declarations of non-possession received by the sheriff's office pursuant to present law (C.Cr.P. Art. 1002).
- (5) The number of firearm transfers completed as required by present law:
 - (a) The total number of firearms transferred to the sheriff's office.
 - (b) The total number of firearms transferred to a third party entity.
 - (c) The total number of firearms transferred to contracted storage.
 - (d) The total number of firearms transferred via legal sale.
- (6) The number of orders received from the court stating that firearms shall be returned to the transferor under present law (C.Cr.P. Art. 1003).

Proposed law provides that the sheriff shall submit a report to the La. Commission on Law Enforcement and Administration of Criminal Justice regardless of whether the sheriff is able to complete a firearm transfer pursuant to proposed law.

Proposed law provides that by Jan. 1, 2023, the La. Commission on Law Enforcement and Administration of Criminal Justice shall create and distribute a standardized form for use by the sheriff of each parish to use to report all aggregate data fields required by proposed law.

Proposed law provides that the form shall not contain any identifying information of the person who possesses the firearm and shall only contain numerical data provided in proposed law.

Proposed law provides that the La. Commission on Law Enforcement and Administration of Criminal Justice shall provide a single point of contact or web portal to which each sheriff shall submit the completed form described in proposed law.

Proposed law provides that the sheriff of each parish shall submit the completed form to the La. Commission on Law Enforcement and Administration of Criminal Justice no later than Jan. 31st of each calendar year. Provides that each form shall contain the aggregate data for each of the items listed in proposed law for the prior calendar year.

Proposed law provides that the La. Commission on Law Enforcement and Administration of Criminal Justice shall publish the data collected from the sheriff of each parish pursuant to proposed law to the commission's public website by Feb. 28th of each calendar year.

Proposed law provides that the La. Commission on Law Enforcement and Administration of Criminal Justice shall submit a report containing the information received pursuant to proposed law to the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary C no later than March first of each calendar year.

(Adds C.Cr.P. Art. 1005)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Change the aggregate data being collected from the number of firearms returned to the transferor to the number of orders received from the court stating that firearms shall be returned to the transferor pursuant to present law.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Require the sheriff to submit a report to the La. Commission on Law Enforcement and Administration of Criminal Justice regardless of whether the sheriff is able to complete a firearm transfer pursuant to proposed law.
3. Require the La. Commission on Law Enforcement and Administration of Criminal Justice to submit a report containing the information received pursuant to proposed law to the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary C no later than March first of each calendar year.
4. Specify that the form submitted to the La. Commission on Law Enforcement and Administration of Criminal Justice shall not contain any identifying information of the person who possesses the firearm and shall only contain numerical data.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the reengrossed bill

1. Makes technical changes.