

2022 Regular Session

HOUSE BILL NO. 260

BY REPRESENTATIVES MAGEE AND GREEN

1 AN ACT

2 To enact R.S. 40:1800, relative to firearms; to provide for definitions; to provide for
3 limitation of liability; to provide for an exception; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 40:1800 is hereby enacted to read as follows:

6 §1800. Firearms; hold agreements; limitation of liability

7 A. For the purposes of this Section:

8 (1) "Federal firearms licensee" means any person licensed pursuant to
9 Chapter 44 of Title 18 of the United States Code.

10 (2) "Firearm" means an instrument as defined in 18 U.S.C. 921, R.S. 14:37.4,
11 R.S. 14:95.1, or R.S. 40:1781.

12 (3) "Firearm hold agreement" means a private transaction between a federal
13 firearms licensee and an individual firearm owner where the licensee takes physical
14 possession of the owner's lawfully possessed firearm at the owner's request, holds
15 the firearm for an agreed period of time, and returns the firearm to the owner
16 according to the terms of the transaction.

17 B.(1) No person shall have a cause of action against a federal firearms
18 licensee operating lawfully in the state of Louisiana for any act or omission arising
19 from a firearm hold agreement and resulting in personal injury or death of any
20 natural person, including the return of any firearms to the individual firearm owner
21 by a federal firearms licensee at the termination of a firearm hold agreement.

1 (2) The immunity from civil liability provided in Paragraph (1) of this
2 Subsection shall not apply to any action arising from a firearm hold agreement if
3 such action was the result of otherwise unlawful conduct on the part of the licensee.

4 (3) This Section shall not apply to firearm transfers pursuant to the Domestic
5 Violence Prevention Firearm Transfer as provided in Title XXXV of the Code of
6 Criminal Procedure.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____