AN ACT

To amend and reenact R.S. 14:95(A)(4), (G), and (H)(1) and to repeal R.S. 14:95(A)(5), relative to the illegal carrying of weapons; to provide for the removal of knives as illegally carried weapons; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:95(A)(4), (G), and (H)(1) are hereby amended and reenacted to read as follows:

§95. Illegal carrying of weapons

A. Illegal carrying of weapons is any of the following:

* * *

(4)(a) The intentional concealment on one's person of any switchblade knife, spring knife, or other knife or similar instrument having a blade which may be automatically unfolded or extended from a handle by the manipulation of a button, switch, latch, or similar contrivance located on the handle:

(b) The provisions of this Paragraph shall not apply to the following:

(i) Any knife that may be opened with one hand by manual pressure applied to the blade or any projection of the blade.

(ii) Any knife that may be opened by means of inertia produced by the hand, wrist, or other movement, provided the knife has either a detent or other structure that provides resistance that shall be overcome in opening or initiating the opening movement of the blade or a bias or spring load toward the closed position.
(a) The intentional possession or use by any person of a dangerous
weapon on a school campus during regular school hours or on a school bus.
"School" means any elementary, secondary, high school, or vo-tech school in this
state and "campus" means all facilities and property within the boundary of the
school property. "School bus" means any motor bus being used to transport children
to and from school or in connection with school activities.

(b) The provisions of this Paragraph shall not apply to:

(i) A peace officer as defined by R.S. 14:30(B) in the performance of his
official duties.

(ii) A school official or employee acting during the normal course of his
employment or a student acting under the direction of such school official or
employee.

(iii) Any person having the written permission of the principal or school
board and engaged in competition or in marksmanship or safety instruction.

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G.(1) The provisions of this Section except Paragraph (A)(4) of this Section
shall not apply to sheriffs and their deputies, state and city police, constables and
town marshals, or persons vested with police power when in the actual discharge of
official duties. These provisions shall not apply to sheriffs and their deputies and
state and city police who are not actually discharging their official duties, provided
that such persons are full time, active, and certified by the Council on Peace Officer
Standards and Training and have on their persons valid identification as duly
commissioned law enforcement officers.

(2) The provisions of this Section except Paragraph (A)(4) of this Section
shall not apply to any law enforcement officer who is retired from full-time active
law enforcement service with at least twelve years service upon retirement, nor shall
it apply to any enforcement officer of the office of state parks, in the Department of
Culture, Recreation and Tourism who is retired from active duty as an enforcement
officer, provided that such retired officers have on their persons valid identification
as retired law enforcement officers, which identification shall be provided by the
entity which employed the officer prior to his or her public retirement. The retired
law enforcement officer must be qualified annually in the use of firearms by the
Council on Peace Officer Standards and Training and have proof of such
qualification. This exception shall not apply to such officers who are medically
retired based upon any mental impairment.

(3)(a) The provisions of this Section except Paragraph (A)(4) of this Section
shall not apply to active or retired reserve or auxiliary law enforcement officers
qualified annually by the Council on Peace Officer Standards and Training and who
have on their person valid identification as active or retired reserve law or auxiliary
municipal police officers. The active or retired reserve or auxiliary municipal police
officer shall be qualified annually in the use of firearms by the Council on Peace
Officer Standards and Training and have proof of such certification.

(b) For the purposes of this Paragraph, a reserve or auxiliary municipal police
officer shall be defined as a volunteer, non-regular, sworn member of a law
enforcement agency who serves with or without compensation and has regular police
powers while functioning as such agency's representative, and who participates on
a regular basis in agency activities including, but not limited to those pertaining to
crime prevention or control, and the preservation of the peace and enforcement of the
law.

H.(1) Except as provided in Paragraph (A)(5) (4) of this Section and in
Paragraph (2) of this Subsection, the provisions of this Section shall not prohibit
active justices or judges of the supreme court, courts of appeal, district courts, parish
courts, juvenile courts, family courts, city courts, federal courts domiciled in the state
of Louisiana, and traffic courts, members of either house of the legislature, officers
of either house of the legislature, the legislative auditor, designated investigative
auditors, constables, coroners, designated coroner investigators, district attorneys and
designated assistant district attorneys, United States attorneys and assistant United
States attorneys and investigators, the attorney general, designated assistant attorneys
general, and justices of the peace from possessing and concealing a handgun on their

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are additions.
person when such persons are qualified annually in the use of firearms by the
Council on Peace Officer Standards and Training.

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Section 2. R.S. 14:95(A)(5) is hereby repealed in its entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ____________________

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