

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 365

2022 Regular Session

Seabaugh

WEAPONS/FIREARMS: Designates the crime of possession of a firearm by a felon as a crime of violence

Synopsis of Senate Amendments

1. Makes technical changes.
2. Clarifies proposed law relative to which offenses shall be designated as crimes of violence.

Digest of Bill as Finally Passed by Senate

Present law (R.S. 14:95.1) provides relative to the crime of possession of a firearm or carrying concealed weapon by a person convicted of certain felonies. Present law further provides that it is unlawful for any person who has been convicted of a "crime of violence", as defined in present law, when that crime is a felony, to possess a firearm or carry a concealed weapon.

Proposed law retains present law.

Present law (R.S. 14:2(B)) provides that a "crime of violence" is an offense that has, as an element, the use, attempted use, or threatened use of physical force against the person or property of another, and that, by its very nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense, or an offense that involves the possession or use of a dangerous weapon. Present law further designates certain present law offenses and attempts to commit any of those offenses as "crimes of violence".

Proposed law retains present law and adds the present law crime of possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies in violation of proposed law (R.S. 14:95.1(D)) to the list of crimes of violence.

Proposed law provides that if a violation of present law relative to a felon in possession is committed during the commission of a crime of violence, then the violation of present law shall also be designated a crime of violence.

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

(Amends R.S. 14:95.1(D); Adds R.S. 14:2(B)(29) and 95.1(E))