

2023 Regular Session

HOUSE BILL NO. 464

BY REPRESENTATIVE FONTENOT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

WEAPONS/FIREARMS: Provides relative to possession of a firearm by a felon

1 AN ACT

2 To amend and reenact R.S. 14:95.1(B), relative to possession of a firearm or carrying of a
3 concealed weapon by a felon; to provide for penalties; and to provide for related
4 matters.

5 Be it enacted by the Legislature of Louisiana:

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

7 §95.1. Possession of firearm or carrying concealed weapon by a person convicted
8 of certain felonies

9 * * *

10 B.(1) Whoever is found guilty of violating the provisions of this Section
11 shall be imprisoned at hard labor for not less than ~~five~~ ten nor more than twenty
12 years without the benefit of probation, parole, or suspension of sentence and be fined
13 not less than one thousand dollars nor more than five thousand dollars.

14 (2) Notwithstanding the provisions of R.S. 14:27, whoever is found guilty
15 of attempting to violate the provisions of this Section shall be imprisoned at hard
16 labor for not more than seven and one-half years and fined not less than five hundred
17 dollars nor more than two thousand five hundred dollars.

18 (3) If the offender is found guilty of violating the provisions of this Section
19 while on probation or parole, the sentence imposed pursuant to this Subsection shall
20 be served consecutively with the remaining balance of any sentence to be served for

1 a prior conviction for any offense in accordance with Code of Criminal Procedure

2 Article 901.

3 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 464 Engrossed

2023 Regular Session

Fontenot

Abstract: Provides relative to the penalties for the crime of possession of a firearm or carrying of a concealed weapon by a felon.

Present law (R.S. 14:95.1) provides for the crime of possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies.

Proposed law retains present law.

Present law further provides for a term of imprisonment at hard labor for not less than five nor more than 20 years without the benefit of probation, parole, or suspension of sentence and a fine of not less than \$1,000 nor more than \$5,000 for anyone who violates the provisions of present law.

Proposed law increases the minimum term of imprisonment from five years to 10 years.

Proposed law provides that if the offender is found guilty of violating the provisions of present law while on probation or parole, the sentence imposed pursuant to present law shall be served consecutively with the remaining balance of any sentence to be served for a prior conviction for any offense in accordance with present law (C.Cr.P. Art. 901).

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