

2023 Regular Session

HOUSE BILL NO. 131

BY REPRESENTATIVES MCCORMICK, AMEDEE, BACALA, BAGLEY, CREWS, EDMONSTON, EMERSON, FIRMENT, FRIEMAN, GAROFALO, GEYMANN, HODGES, HORTON, ORGERON, CHARLES OWEN, ROBERT OWEN, RISER, SCHAMERHORN, AND WRIGHT

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

WEAPONS/HANDGUNS: Provides relative to the concealed carrying of firearms

1 AN ACT

2 To amend and reenact R.S. 14:95(M)(1) and (2) and R.S. 40:1379.3(B)(2)(a), 1379.3.3(B),  
3 (D)(1) and (6), and (F)(2), to enact R.S. 14:95(N) and R.S. 40:1379.3.3(D)(9), and  
4 to repeal R.S. 14:95(M)(3), relative to the illegal carrying of weapons; to exempt  
5 certain persons from the crime of illegal carrying of weapons; to provide relative to  
6 concealed handgun permits; to provide relative to the authority of a person to carry  
7 a concealed handgun without a permit; to provide for a restriction; to provide relative  
8 to an online education course; to provide relative to course topics; and to provide for  
9 related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 14:95(M)(1) and (2) are hereby amended and reenacted and R.S.  
12 14:95(N) is hereby enacted to read as follows:

13 §95. Illegal carrying of weapons

14 \* \* \*

15 M. The provisions of Paragraph (A)(1) of this Section shall not apply to a  
16 ~~resident of Louisiana~~ person if all of the following conditions are met:

17 (1) The person is ~~twenty-one~~ eighteen years of age or older.

1 (2) The person is not prohibited from possessing a firearm under R.S.  
2 14:95.1, ~~R.S. 40:1379.3(C)(5) through (17), 18 U.S.C. 922(g), or any other state or~~  
3 federal law.

4 \* \* \*

5 N. Any person carrying a weapon pursuant to Subsection M of this Section  
6 shall be subject to the restrictions contained in R.S. 40:1379.3(M) and (N).

7 Section 2. R.S. 40:1379.3(B)(2)(a) and 1379.3.3(B), (D)(1) and (6), and (F)(2) are  
8 hereby amended and reenacted and R.S. 40:1379.3.3(D)(9) is hereby enacted to read as  
9 follows:

10 §1379.3. Statewide permits for concealed handguns; application procedures;  
11 definitions

12 \* \* \*

13 B.

14 \* \* \*

15 (2)(a) A ~~Louisiana resident~~ person who meets the qualifications of R.S.  
16 14:95(M) shall not be required to possess a valid concealed handgun permit issued  
17 by the state of Louisiana pursuant to the provisions of this Section in order to carry  
18 a concealed handgun in the state of Louisiana. ~~The provisions of this Paragraph shall~~  
19 ~~not affect the requirements of reciprocity as provided in Subsection T of this Section.~~

20 \* \* \*

21 §1379.3.3. Louisiana Firearm Safety Awareness Act

22 \* \* \*

23 B. The Department of Public Safety and Corrections, office of state police,  
24 shall provide a ~~two-hour~~ two hour and fifteen-minute online handgun education  
25 course at no cost to Louisiana residents.

26 \* \* \*

27 D. The online handgun education course shall include instruction on all of  
28 the following topics:

1 (1) Handgun basics and nomenclature, including handling procedures for a  
2 revolver and a semiautomatic pistol.

3 \* \* \*

4 (6) Accident prevention, including safe storage of firearms.

5 \* \* \*

6 (9) Suicide prevention, with an emphasis on the impact of firearm-related  
7 suicides involving veterans and current service members of the United States Armed  
8 Forces.

9 \* \* \*

10 F.

11 \* \* \*

12 (2) In accordance with Paragraph (1) of this Subsection, the Department of  
13 Public Safety and Corrections, office of state police, shall divide the topics provided  
14 in Subsection D of this Section into ~~eight~~ nine video segments that shall broadcast  
15 for no less than fifteen minutes per segment.

16 Section 3. R.S. 14:95(M)(3) is hereby repealed in its entirety.

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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)]

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HB 131 Reengrossed                      2023 Regular Session                      McCormick

**Abstract:** Exempts certain persons from the crime of illegal carrying of weapons and removes the requirement that a person possess a permit issued by the state of La. in order to carry a concealed handgun in the state of La.

Present law (R.S. 14:95) prohibits the carrying of a concealed firearm, provides for criminal penalties, and provides for certain exceptions to the offense.

Proposed law amends present law to create an exception to this prohibition for a person located in La. who is 18 years of age or older and who is not prohibited from possessing a firearm under any federal or state law.

Proposed law provides that any person carrying a weapon pursuant to proposed law (R.S. 14:95(M)) shall be subject to the restrictions contained in present law (R.S. 40:1379.3(M) and (N)).

Present law (R.S. 40:1379.3) provides that La. residents who meet certain eligibility requirements may apply for and be issued a concealed handgun permit authorizing the

person to carry a concealed handgun on his person in the state of La. Further requires the person to possess a valid concealed handgun permit issued by the state of La. in order to carry a concealed handgun in the state of La.

Proposed law retains present law.

Present law (R.S. 40:1379.3(B)(2)(a)) provides that a La. resident who meets the qualifications of present law (R.S. 14:95(M)) shall not be required to possess a valid concealed handgun permit issued by the state of La. pursuant to present law in order to carry a concealed handgun in the state of La. Further provides that the provisions of present law shall not affect the requirements of reciprocity.

Proposed law amends present law to provide that a person who meets the qualifications of present law (R.S. 14:95(M)) shall not be required to possess a valid concealed handgun permit issued by the state of La. pursuant to present law in order to carry a concealed handgun in the state of La.

Present law (R.S. 40:1379.3.3) provides that the DPS&C, office of state police, shall provide a two-hour online handgun education course at no cost to La. residents.

Proposed law retains present law.

Present law provides for the length of the online course to be two hours.

Proposed law amends present law to change the length of the online course from two hours to two hours and 15 minutes.

Present law provides that the online handgun education course shall cover all of the following topics:

- (1) Handgun basics and nomenclature.
- (2) Firearm-free zones.
- (3) Use of deadly force.
- (4) Interactions with law enforcement officers.
- (5) Conflict resolution.
- (6) Accident prevention.
- (7) Unauthorized access prevention.
- (8) Safe handling of a handgun.

Proposed law retains present law, but amends the topic of "handgun basics and nomenclature" to include handling procedures for a revolver and a semiautomatic pistol.

Proposed law further combines the topic of "safe storage of firearms" with the topic of "accident prevention".

Proposed law further adds the topic of "suicide prevention, with an emphasis on the impact of firearm-related suicides involving veterans and current service members of the U.S. Armed Forces" to the course.

Present law provides that the DPS&C, office of state police, shall divide the topics provided in present law into eight video segments that shall broadcast for no less than 15 minutes per segment.

Proposed law amends present law to change the number of video segments from eight to nine, but still provides that the video segments shall broadcast for no less than 15 minutes per segment.

(Amends R.S. 14:95(M)(1) and (2) and R.S. 40:1379.3(B)(2)(a), 1379.3.3(B), (D)(1) and (6), and (F)(2); Adds R.S. 14:95(N) and R.S. 40:1379.3(D)(9); Repeals R.S. 14:95(M)(3))

#### Summary of Amendments Adopted by House

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

1. Make technical changes.
2. Relative to the exception to the present law crime of illegal carrying of weapons:
  - (a) Expand the exception from any Louisiana resident to any person.
  - (b) Remove certain persons from the exception.
3. Increase the length of the online handgun education course offered by state police from two hours to two hours and fifteen minutes.
4. Amend present law relative to handgun education course topics.
5. Provide for new education course topics.
6. Increase the video segments relative to the course topics from 8 to 9.

#### The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Provide that any person who meets the qualifications of present law (R.S. 14:95(M)) shall be subject to the same restrictions as a person who carries a concealed firearm pursuant to present law (R.S. 40:1379.3(M) and (N)).