

**HOUSE SUMMARY OF SENATE AMENDMENTS**

**HB 464**

**2023 Regular Session**

**Fontenot**

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

**Synopsis of Senate Amendments**

1. Prohibits a person from possessing a firearm or carrying a concealed weapon if convicted of certain present law drug offenses that are felonies.
2. Makes technical changes.

**Digest of Bill as Finally Passed by Senate**

Present law provides that it is unlawful for any person to possess a firearm or carry a concealed weapon if he has been convicted of, or been found not guilty by reason of insanity for, any of the following offenses or attempts to commit any of the following offenses:

- (1) A crime of violence as defined in present law which is a felony.
- (2) Simple burglary, burglary of a pharmacy, burglary of an inhabited dwelling, or unauthorized entry of an inhabited dwelling.
- (3) Felony illegal use of weapons or dangerous instrumentalities.
- (4) Manufacture or possession of a delayed action incendiary device.
- (5) Manufacture or possession of a bomb.
- (6) Possession of a firearm while in the possession of or during the sale or distribution of a controlled dangerous substance, or any violation of the Uniform Controlled Dangerous Substances Law which is a felony.
- (7) Any crime which is defined as a sex offense in present law.
- (8) Any violation of the Uniform Controlled Dangerous Substances Law which is a felony, except for possession violations of Schedules III, IV, and V.
- (9) Any crime defined as an attempt to commit one of the enumerated offenses under the laws of this state, or who has been convicted under the laws of any other state or of the U.S. or of any foreign government or country of a crime which, if committed in this state, would be one of the enumerated offenses.

Proposed law amends present law to reorganize this list of offenses and remove the following offenses:

- (1) Possession of a controlled substance listed in Schedule III, IV, or V as provided in present law (Uniform Controlled Dangerous Substances Law).
- (2) Any violation of the Uniform Controlled Dangerous Substances Law which is a felony. 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.

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