

## RÉSUMÉ DIGEST

**ACT 59 (SB 194)**

**2024 Regular Session**

**Miguez**

Existing law provides relative to preemption of state law relative to the regulation of firearms. Existing law prohibits a governing authority of a political subdivision from enacting any ordinance or regulation that is more restrictive than state law concerning the sale, purchase, possession, ownership, transfer, transportation, license, or registration of firearms, ammunition, or components of firearms or ammunition.

New law expands upon existing law by specifically prohibiting a governing authority from enforcing any ordinance, order, regulation, policy, procedure, rule or any other form of executive or legislative action more restrictive than state law concerning in any way the manufacture, sale, purchase, possession, carrying, storage, ownership, taxation, transfer, transportation, license, or registration of firearms, ammunition, components of firearms or ammunition, firearms accessories, knives, edged weapons, or any combination thereof.

Existing law does not apply to the levy and collection of sales and use taxes, license fees, and taxes and permit fees and does not apply to the authority of political subdivisions to prohibit the possession of a weapon or firearm in certain commercial establishments and public buildings as enumerated in existing law.

New law retains existing law.

New law deletes the July 15, 1985, date specific application of existing law.

New law specifies that any existing ordinance, rule, or regulation in violation of existing law relative to preemption is null and void and of no effect.

New law provides that a political subdivision must repeal, rescind, or amend to conform, any ordinance, order, regulation, policy, procedure, rule, or any other form of executive or legislative action in violation of existing law or new law relative to preemption within six months after August 1, 2024.

New law provides that a person or an organization whose membership is adversely affected by any ordinance, order, regulation, policy, procedure, rule, or any other form of executive or legislative action promulgated or caused to be enforced in violation of existing law or new law may file suit against an offending political subdivision in any court of this state having jurisdiction for declaratory and injunctive relief. New law further provides that the court will award a prevailing plaintiff in any such suit both reasonable attorney fees and costs and expert witness fees and expenses.

Effective August 1, 2024.

(Amends R.S. 40:1796)