

2025 Regular Session

HOUSE BILL NO. 220

BY REPRESENTATIVES WILLARD AND MANDIE LANDRY

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

WEAPONS/FIREARMS: Creates the crime of improper storage of a firearm

1 AN ACT

2 To enact R.S. 14:95.11, relative to offenses affecting the public safety; to create the crime
3 of unlawful storage of a firearm; to provide for elements of the offense; to provide
4 for penalties; to provide for exceptions; to provide for definitions; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:95.11 is hereby enacted to read as follows:

8 §95.11. Unlawful storage of a firearm

9 A. Unlawful storage of a firearm occurs when a person leaves a loaded
10 firearm within a dwelling or vehicle, when that person knows or reasonably should
11 know that a minor child is likely to gain access to the firearm without the lawful
12 permission of the minor child's parent or the person having charge of the minor child,
13 and when the minor child obtains possession of such firearm and then does either of
14 the following:

- 15 (1) Discharges the firearm.
- 16 (2) Exhibits the firearm in a public place.

17 B. Whoever violates the provisions of this Section shall be imprisoned for
18 not more than six months, fined not more than one thousand dollars, or both.

19 C. The provisions of this Section shall not apply in any of the following
20 circumstances:

1 (1) When a person unlawfully enters the dwelling or vehicle and takes or
2 misappropriates the firearm.

3 (2) When a minor, with the permission of the adult owner of the firearm,
4 obtains access to the firearm for the purpose of hunting, sporting activities, or any
5 other lawful reason.

6 (3) When a person is carrying a firearm on his person.

7 (4) When a person secures the firearm with a trigger lock or stores the
8 firearm in a securely locked box or container which a reasonable person would
9 believe to be secure.

10 D. For the purposes of this Section, "firearm" means any pistol, revolver,
11 rifle, shotgun, machine gun, submachine gun, black powder weapon, or assault rifle
12 which is designed to fire or is capable of firing fixed cartridge ammunition or from
13 which a shot or projectile is discharged by an explosive.

14 E. No peace officer nor any other person shall arrest a person for a violation
15 of this Section before the seventh day following the date on which the offense is
16 alleged to have been committed if both of the following circumstances exist:

17 (1) The offender is a member of the family of the child who discharged the
18 firearm.

19 (2) The child has caused death or serious injury to himself through discharge
20 of the firearm.

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 220 Engrossed

2025 Regular Session

Willard

Abstract: Creates the crime of improper storage of a firearm.

Proposed law provides that the unlawful storage of a firearm occurs when a person leaves a loaded firearm within a dwelling or vehicle, when that person knows or reasonably should know that a minor child is likely to gain access to the firearm without the lawful permission of the minor child's parent or the person having charge of the minor child, and when the minor child obtains possession of such firearm and then does either of the following:

(1) Discharges the firearm.

- (2) Exhibits the firearm in a public place.

Proposed law provides that whoever violates the provisions of proposed law shall be imprisoned for not more than six months, fined not more than \$1,000, or both.

Proposed law does not apply in any of the following circumstances:

- (1) When a person unlawfully enters the dwelling or vehicle and takes or misappropriates the firearm.
- (2) When a minor, with the permission of the adult owner of the firearm, obtains access to the firearm for the purpose of hunting, sporting activities, or any other lawful reason.
- (3) When a person is carrying a firearm on his person.
- (4) When a person secures the firearm with a trigger lock or stores the firearm in a securely locked box or container which a reasonable person would believe to be secure.

Proposed law defines the term "firearm".

Proposed law provides that no peace officer nor any other person shall arrest a person for a violation of proposed law before the seventh day following the date on which the offense is alleged to have been committed if both of the following circumstances exist:

- (1) The offender is a member of the family of the child who discharged the firearm.
- (2) The child has caused death or serious injury to himself through discharge of the firearm.

(Adds R.S. 14:95.11)

Summary of Amendments Adopted by House

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

1. Clarify the elements of proposed law.
2. Remove, as an element of proposed law, a circumstance where the minor child causes, or attempts to cause, the injury or death of himself or another person.
3. Add, as an element of proposed law, a circumstance where the minor child exhibits the firearm in a public place.
4. Within the exceptions to the proposed law crime, clarify that the minor child's access to the firearm for the purpose of hunting, sporting activities, or any other lawful reason does not have to be supervised.
5. Add exceptions to the proposed law crime relative to the carrying and storage of a firearm.
6. Prohibit the arrest of a person for a violation of proposed law before the seventh day following the date on which the offense is alleged to have been committed under certain circumstances.