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## DIGEST

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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 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.