

RÉSUMÉ DIGEST

ACT 175 (HB 289)

2025 Regular Session

Carrier

Existing law (R.S. 9:2800.60(B)) provides that no firearm manufacturer or seller shall be liable for any injury resulting from any shooting injury by any person unless the injury is the proximate cause of the unreasonably dangerous construction or composition of the product.

New law expands existing law to include ammunition manufacturers and distributors of firearms or ammunition.

Existing law (R.S. 9:2800.60(C)) provides that no manufacturer or seller of a firearm who transfers that firearm in compliance with federal and state law shall incur liability for any action of any person who uses the firearm in a manner inconsistent with the intended purpose.

New law includes distributors or sellers of a firearm or ammunition. Additionally, new law removes the requirement that the firearm is transferred in compliance with federal law.

Existing law (R.S. 9:2800.60(D)) provides that the failure of a manufacturer or seller to insure that a firearm has a device with certain features shall not make the firearm unreasonably dangerous unless such device is required by federal or state statute or regulation.

New law includes distributors of firearms and removes the compliance requirement with federal law.

Existing law (R.S. 9:2800.60(E)) provides that the potential of a firearm to cause injury as a result of normal function does not constitute firearm malfunction due to defect in design or manufacture.

New law expands existing law to include ammunition.

Existing law (R.S. 9:2800.60(F)) provides that no manufacturer or seller of a firearm shall incur liability for failing to warn users of certain risks associated with the use of firearms.

New law expands existing law to include distributors and sellers of ammunition.

Prior law (R.S. 9:2800.60(G)) did not apply to assault weapons manufactured in violation of 18 U.S.C. 922(v).

New law repeals prior law and provides that in any civil action where the court finds that the defendant is not liable, the court shall award all attorney fees, court costs, compensation for loss of income, and expenses incurred as a result of such action.

Existing law provides that a governing authority is precluded from bringing suit against any firearm or ammunition manufacturer relating to the lawful design, manufacture, marketing, or sale of firearms or ammunition.

New law changes existing law to include distributors of firearms or ammunition but removes the requirement that the designs be lawful.

New law provides that if a governing authority violates existing law, the defendant may be entitled to court costs and attorney fees.

New law provides that the court shall award reasonable attorney fees, court costs, compensation for loss of income, and all expenses to the defendant in any civil action if the court finds that the action was improperly brought.

Effective August 1, 2025.

(Amends R.S. 9:2800.60 and R.S. 40:1799)