

Regular Session, 2014

SENATE BILL NO. 212

BY SENATORS WARD, CHABERT, LONG, MORRISH AND WALSWORTH

HUNTERS/HUNTING. Allows the use of a firearm sound suppressor while hunting certain wild quadrupeds. (8/1/14)

1 AN ACT

2 To amend and reenact R.S. 56:116.1(B)(3) and (H), to enact R.S. 56:116.1(I), and to repeal
3 R.S. 56:116.1(D)(3), relative to the taking of wild quadrupeds; to provide for the use
4 of firearm sound suppressors when taking wild quadrupeds; to provide certain
5 penalties; to provide for the use of night vision devices; to provide terms, conditions,
6 and requirements; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 56:116.1(B)(3) and (H) are hereby amended and reenacted and R.S.
9 56:116.1(I) is hereby enacted to read as follows:

10 §116.1. Wild birds and wild quadrupeds; times and methods of taking; penalties

11 * * *

12 B. No person shall do any of the following:

13 * * *

14 (3) ~~Take~~ **Except as provided in Subsection H of this Section, take** or kill
15 any game bird or wild quadruped with a firearm fitted with any device to deaden or
16 silence the sound of the discharge thereof; or fitted with an infrared sight, laser sight
17 or except as provided in Paragraph (A)(8) **or (D)(2)** of this Section any sighting

1 device which projects a beam of light to the target or otherwise electronically
 2 illuminates the target, or device specifically designed to enhance vision at night; or
 3 with or by means of an automatic loading or hand operated repeating shotgun
 4 capable of holding more than three shells. Any shotgun capable of holding more than
 5 three shells shall be plugged with a one-piece filler incapable of removal through the
 6 loading end, so as to reduce the capacity of the gun to not more than three shells at
 7 one loading.

8 * * *

9 H. ~~Violation of any of the provisions of this Section shall constitute a class~~
 10 ~~three violation.~~ **Any person who is authorized to possess a firearm sound**
 11 **suppressor, as evidenced by payment and possession of the required federal tax**
 12 **stamp issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives, may**
 13 **use a firearm fitted with a sound suppressor when taking wild quadrupeds**
 14 **under the provisions of this Section. The provisions of this Subsection shall not**
 15 **apply to any person who has been convicted of a class four or greater hunting**
 16 **violation for a period of five years after the date of such conviction. Possession**
 17 **or use of a sound suppressor by such person shall be considered a violation of**
 18 **this Subsection and shall be punished as a class six violation in accordance with**
 19 **the provisions of R.S. 56:36.**

20 **I. Except as otherwise provided, a violation of any of the provisions of**
 21 **this Section shall constitute a class three violation.**

22 Section 2. R.S. 56:116.1(D)(3) is hereby repealed.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by McHenry Lee.

DIGEST

Ward (SB 212)

Present law prohibits the use of a sound suppressor when taking wild quadrupeds or game birds, but allows the use of a sound suppressor when taking outlaw quadrupeds, nutria, and beaver if the hunter is authorized to use one by the Bureau of Alcohol, Tobacco, and Firearms.

Proposed law allows the use of a sound suppressor to hunt all wild quadrupeds, which includes outlaw quadrupeds, nutria, and beaver, so long as that person is authorized to

possess a firearm sound suppressor, as evidenced by payment and possession of the required federal stamp issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives.

Present law prohibits the use of a firearm sound suppressor by any person who has been convicted of a class four or greater hunting violation for a period of five years after conviction and provides penalties.

Proposed law retains present law.

Proposed law makes correction dealing with exceptions for the use of night vision devices.

Effective August 1, 2014.

(Amends R.S. 56:116.1(B)(3) and (H); adds R.S. 56:116.1(I); repeals R.S. 56:116.1(D)(3))