

Regular Session, 2014

HOUSE BILL NO. 272

BY REPRESENTATIVE ALFRED WILLIAMS

WEAPONS/FIREARMS: Provides relative to firearms buyback programs for parishes and municipalities

1 AN ACT

2 To amend and reenact R.S. 33:4879(B) and (C), relative to firearms; to authorize parishes  
3 and municipalities to institute a firearms buyback program; to provide relative to the  
4 procedures governing the implementation of the program and the funding of the  
5 program; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 33:4879(B) and (C) are hereby amended and reenacted to read as  
8 follows:

9 §4879. Purpose; firearms buyback program; authorization; ~~city of New Orleans~~

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11 B. ~~The city of New Orleans~~ Any municipality or parish may institute a  
12 firearms buyback program. Funding for the buyback program shall be acquired from  
13 cash donations from private businesses and may ~~be acquired from~~ include funds from  
14 the city's assets, seizures, and forfeiture forfeitures fund of any participating law  
15 enforcement agency within the jurisdiction of the municipality or parish ~~if the city~~  
16 ~~possesses such a fund.~~ and no other public funds shall be used to implement the  
17 program. The firearms buyback program shall exist for not more than a thirty-day  
18 period in any calendar year or shall exist until the funds acquired or received for the  
19 purchase of the firearms are exhausted.

20 C. The ~~city~~ municipality or parish shall promulgate rules of procedure  
21 governing the acquisition and disposal of firearms purchased through the program.

1           Such weapons shall either be destroyed or delivered to law enforcement agencies of  
2           the ~~city~~ municipality or parish for departmental use. Departmental use may include  
3           the sale of the firearms at a public auction. The proceeds of the sales shall be used  
4           to defray the costs of administering the auction and any surplus shall be deposited  
5           into the training fund of the law enforcement agency conducting the sale, or may be  
6           used by that agency to purchase law enforcement equipment. Any firearm sales  
7           authorized pursuant to the provisions of this Section shall comply with all state and  
8           federal firearms laws. In no case shall such weapon be given to any individual,  
9           except that a stolen weapon shall be returned to its rightful owner on proof of  
10          ownership.

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#### 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)]

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Alfred Williams

HB No. 272

**Abstract:** Authorizes all parishes and municipalities in the state to institute a firearms buyback program and provides for the procedures and funding of such programs.

Present law authorizes the city of New Orleans to institute a firearms buyback program, whereby citizens may safely dispose of firearms they no longer desire to own. Present law authorizes the city of New Orleans to acquire funding for the program to buyback firearms from private businesses and to use funds from the city's assets, seizures, and forfeitures fund. Present law authorizes the program to exist for not more than a 30-day period in a calendar year or until the funds acquired or received for the purchase of the firearms are depleted.

Proposed law authorizes all parishes and municipalities to institute a firearms buyback program. Further provides that no public funds other than donations and funds from the city's assets, seizures, and forfeitures fund may be used to implement the program.

Present law requires the city of New Orleans to develop and implement rules of procedure governing the acquisition and disposal of firearms acquired through the program. Provides that all acquired firearms must be either destroyed or delivered to law enforcement agencies for departmental use. Prohibits any acquired firearms from being given to any individual, except a stolen weapon being returned to its rightful owner.

Proposed law retains present law and makes the provisions applicable to all parishes and municipalities that implement a program. Further provides that departmental use of acquired firearms includes the sale of firearms at a public auction. Limits the use of the proceeds of such sales to defraying the cost of the auction, training, and purchase of law enforcement equipment.

(Amends R.S. 33:4879(B) and (C))

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Provides that no public funds other than donations and funds from the city's assets, seizures, and forfeitures fund may be used to implement the program.
2. Adds provisions that departmental use of acquired firearms includes the sale of firearms at a public auction and with respect to the use of the proceeds of such sales.