

Existing law provides for the crime of illegal possession of stolen firearms.

Prior law defined illegal possession of stolen firearms as the intentional possessing, procuring, receiving, or concealing of a firearm which has been the subject of any robbery or theft under circumstances which indicate that the offender knew or should have known that the firearm was the subject of a robbery or theft.

New law changes the elements of the crime to include any form of misappropriation and not only robbery or theft.

New law further provides that it shall be an affirmative defense to a prosecution for illegal possession of stolen firearms that the offender had no knowledge that the firearm was the subject of any form of misappropriation.

New law further provides that it shall be an affirmative defense to a prosecution for illegal possession of stolen firearms that the alleged offender has or had possession of the firearm pursuant to his regular course of business, is in possession of a valid federal firearms license, is routinely in the possession of firearms for sale, pawn, lease, rent, repair, modification, or other legitimate acts as part of his normal scope of business operations, and is enforcing a privilege pursuant to existing law.

Effective August 1, 2014.

(Amends R.S. 14:69.1(A))