

2016 Regular Session

HOUSE BILL NO. 959

BY REPRESENTATIVE BAGNERIS

WEAPONS/FIREARMS: Provides with respect to preemption of state law

1 AN ACT

2 To amend and reenact R.S. 40:1796(A), relative to the preemption of state law over local
3 governmental ordinances regarding the sale, purchase, possession, ownership,
4 transfer, transportation, license, or registration of firearms or ammunition; to exempt
5 certain parishes from this preemption; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1796(A) is hereby amended and reenacted to read as follows:

8 §1796. Preemption of state law

9 A. No governing authority of a political subdivision shall enact after July 15,
10 1985, any ordinance or regulation more restrictive than state law concerning in any
11 way the sale, purchase, possession, ownership, transfer, transportation, license, or
12 registration of firearms, ammunition, or components of firearms or ammunition;
13 ~~however;~~ However, the provisions of this Section shall not apply to the levy and
14 collection of sales and use taxes, license fees and taxes and permit fees, nor shall it
15 affect the authority of political subdivisions to prohibit the possession of a weapon
16 or firearm in certain commercial establishments and public buildings. The
17 provisions of this Subsection shall not apply to the governing authority of a parish
18 containing a municipality with a population of three hundred thousand or more
19 according to the most recent federal decennial census.

20 * * *

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)]

HB 959 Original

2016 Regular Session

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Abstract: Provides an exception to the general prohibition regarding the enacting of ordinances more restrictive than state law related to firearms.

Present law prohibits governing authorities of political subdivisions from enacting any ordinance or regulation more restrictive than state law concerning the sale, purchase, possession, ownership, transfer, transportation, license, or registration of firearms, ammunition, or components of firearms or ammunition.

Proposed law exempts the governing authority or a parish containing a municipality with a population of 300,000 or more according to the most recent federal decennial census from present law.

Proposed law retains present law which provides that a local governing authority in a high-risk area may develop a plan with federally licensed firearms manufacturers, dealers, or importers to secure the inventory of firearms and ammunition of those licensees in order to prevent looting of the licensee's premises during a declared state of emergency or disaster.

(Amends R.S. 40:1796(A))