

2016 Regular Session

SENATE BILL NO. 102

BY SENATOR GARY SMITH

WEAPONS. Provides relative to firearm-free zones. (8/1/16)

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AN ACT

To amend and reenact R.S. 14:95.6(A) and (E), relative to firearm-free zones; to provide that signs or other markings designating a firearm-free zone are to include language that law enforcement weapons are permitted in the zone; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:95.6(A) and (E) are hereby amended and reenacted to read as follows:

§95.6. Firearm-free zone; notice; signs; crime; penalties

A. A "firearm-free zone" is an area inclusive of any school campus and within one thousand feet of any such school campus, and within a school bus, **wherein the possession of firearms is prohibited, except as specifically set forth in Subsection B of this Section and R.S. 14:95.2(C).**

* * *

E.**(1)** The state superintendent of education, with the approval of the State Board of Elementary and Secondary Education, and the commissioner of higher education, with the approval of the Board of Regents, shall develop a method by

1 which to mark firearm-free zones, including the use of signs or other markings
 2 suitable to the situation. Signs or other markings shall be located in a visible manner
 3 on or near each school and on and in each school bus indicating that such area is a
 4 firearm-free zone and that such zone extends to one thousand feet from the boundary
 5 of school property. The state Department of Education shall assist each approved
 6 school with the posting of notice as required in this Subsection.

7 **(2) Signs or other markings, in addition to the method developed**
 8 **pursuant to Paragraph (1) of this Subsection, shall provide notice that armed**
 9 **law enforcement officers are permitted within the firearm-free zone by**
 10 **including in the signs or other markings the language "Law Enforcement**
 11 **Weapons Permitted" or language substantially similar thereto.**

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The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Alden A. Clement, Jr.

DIGEST

SB 102 Engrossed

2016 Regular Session

Gary Smith

Present law defines a "firearm-free zone" as an area inclusive of any school campus and within 1,000 feet of any such school campus, and within a school bus.

Proposed law retains present law and adds that in a firearm-free zone the possession of firearms is prohibited, except as specifically set forth in present law exceptions for the following:

- (1) A federal, state, or local law enforcement building.
- (2) A military base.
- (3) A commercial establishment that is permitted by present law to have firearms or armed security.
- (4) Private premises where a firearm is kept pursuant to present law.
- (5) Any constitutionally protected activity within the firearm-free zone, such as a firearm contained entirely within a motor vehicle.
- (6) A federal law enforcement officer or a Louisiana-commissioned state, or local P.O.S.T. certified law enforcement officer who is authorized to carry a firearm.
- (7) A school official or employee acting during the normal course of his employment or a student acting under the direction of such school official or employee.
- (8) Any person having the written permission of the principal or as otherwise provided in present law.

- (9) The possession of a firearm occurring within 1,000 feet of school property and entirely on private property, or entirely within a private residence, or in accordance with a concealed handgun permit issued pursuant to present law.
- (10) Any student carrying a firearm to or from a class, in which he is duly enrolled, that requires the use of the firearm in the class.
- (11) A student enrolled or participating in an activity requiring the use of a firearm including but not limited to any ROTC function under the authorization of a university.
- (12) A student who possesses a firearm in his dormitory room or while going to or from his vehicle or any other person with permission of the administration.

Present law provides that the state superintendent of education, with the approval of BESE, and the commissioner of higher education, with the approval of the Board of Regents, are to develop a method by which to mark firearm-free zones, including the use of signs or other markings suitable to the situation. Present law further provides that signs or other markings are to be located in a visible manner on or near each school and on and in each school bus indicating that such area is a firearm-free zone, and that such zone extends to 1,000 feet from the boundary of school property. Present law further provides that the Dept. of Education is to assist each approved school with the posting of notice as required by present law.

Proposed law retains present law and adds that these signs or other markings, in addition to the method developed pursuant to present law, are to provide notice that armed law enforcement officers are permitted within the firearm-free zone by including in the signs or other markings the language "Law Enforcement Weapons Permitted" or language substantially similar thereto.

Effective August 1, 2016.

(Amends R.S. 14:95.6(A) and (E))