

2018 Regular Session

SENATE BILL NO. 185

BY SENATOR BISHOP

WEAPONS. Permits certain parishes and any local governing authority or official thereof to enact and enforce ordinances and regulations concerning firearms, ammunition, or components of firearms or ammunition. (gov sig)

1 AN ACT

2 To enact R.S. 40:1796(D), relative to firearms and ammunition; to provide for the
3 preemption of state law; to provide for an exemption for certain parishes; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 40:1796(D) is hereby enacted to read as follows:

7 §1796. Preemption of state law

8 * * *

9 **D. Nothing in this Section shall prohibit a parish with a population in**
10 **excess of three hundred thousand but not exceeding four hundred thousand as**
11 **of the latest federal decennial census, or any local governing authority or official**
12 **thereof, from enacting or enforcing any ordinance or regulation concerning in**
13 **any way the sale, purchase, possession, ownership, transfer, transportation,**
14 **license, or registration of firearms, ammunition, or components of firearms or**
15 **ammunition, provided that the ordinance or regulation is designed to:**
16 **(1) Prevent the trafficking of firearms by requiring the reporting of lost**
17 **or stolen firearms to law enforcement.**

1 **(2) Regulate or prohibit the open and visible carrying of firearms at a**
2 **public event for which a permit is issued by a government entity.**

3 **(3) Prohibit firearms from being carried in any commercial**
4 **establishment where alcohol is served for consumption or from being carried**
5 **in any defined geographic area where the consumption of alcohol is permitted**
6 **by law.**

7 **(4) Prohibit firearms from being carried in recreation centers or other**
8 **public buildings.**

9 **(5) Prevent the unsafe access of firearms by minor children.**

10 Section 2. This Act shall become effective upon signature by the governor or, if not
11 signed by the governor, upon expiration of the time for bills to become law without signature
12 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
13 vetoed by the governor and subsequently approved by the legislature, this Act shall become
14 effective on the day following such approval.

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

DIGEST

SB 185 Original 2018 Regular Session Bishop

Present law provides that no governing authority of a political subdivision will enact any ordinance or regulation more restrictive than state law concerning in any way the sale, purchase, possession, ownership, transfer, transportation, license, or registration of firearms, ammunition, or components of firearms or ammunition.

Proposed law provides that nothing in present law will prohibit a parish with a population in excess of 300,000 but not exceeding 400,000 as of the latest federal decennial census, or any local governing authority or official thereof, from enacting or enforcing any ordinance or regulation concerning in any way the sale, purchase, possession, ownership, transfer, transportation, license, or registration of firearms, ammunition, or components of firearms or ammunition provided that the ordinance or regulation is designed to:

- (1) Prevent the trafficking of firearms by requiring the reporting of lost or stolen firearms to law enforcement.
- (2) Regulate or prohibit the open and visible carrying of firearms at a public event for which a permit is issued by a government entity.
- (3) Prohibit firearms from being carried in any commercial establishment where alcohol is served for consumption or from being carried in any defined geographic area where the consumption of alcohol is permitted by law.
- (4) Prohibit firearms from being carried in recreation centers or other public buildings.

(5) Prevent the unsafe access of firearms by minor children.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 40:1796(D))