

2024 Regular Session

HOUSE BILL NO. 823

BY REPRESENTATIVE BACALA

WEAPONS/FIREARMS: Provides relative to the illegal carrying of weapons

1 AN ACT

2 To enact R.S. 14:95(A)(5), relative to unlawful carrying of firearms; to provide relative to
3 the unlawful carrying of weapons; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 14:95(A)(5) is hereby enacted to read as follows:

6 §95. Illegal carrying of weapons

7 A. Illegal carrying of weapons is any of the following:

8 * * *

9 (5)(a) The intentional possession or use of a dangerous weapon by any
10 person in any of the following locations:

11 (i) A law enforcement office, station, or building.

12 (ii) A detention facility, prison, or jail.

13 (iii) A courthouse or courtroom, provided that a judge may carry such a
14 weapon in his own courtroom.

15 (iv) The state capitol building.

16 (b) The provisions of this Paragraph shall not apply to a peace officer as
17 defined by R.S. 40:2402(3) in the performance of his official duties.

18 * * *

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 823 Engrossed

2024 Regular Session

Bacala

Abstract: Provides relative to the illegal carrying of weapons.

Present law (R.S. 14:95) provides for the crime of illegal carrying of weapons and provides for penalties and exceptions.

Proposed law retains present law.

Present law (R.S. 14:95(A)) provides that the illegal carrying of weapons is any of the following:

- (1) The intentional concealment of any firearm, or other instrumentality customarily used or intended for probable use as a dangerous weapon, on one's person.
- (2) The ownership, possession, custody, or use of any firearm, or other instrumentality customarily used as a dangerous weapon, at any time by an enemy alien.
- (3) The ownership, possession, custody, or use of any tools, or dynamite, or nitroglycerine, or explosives, or other instrumentality customarily used by thieves or burglars at any time by any person with the intent to commit a crime.
- (4) The intentional possession or use by any person of a dangerous weapon on a school campus during regular school hours or on a school bus. "School" means any elementary, secondary, high school, or vo-tech school in this state and "campus" means all facilities and property within the boundary of the school property. "School bus" means any motor bus being used to transport children to and from school or in connection with school activities.

Proposed law retains present law and adds that the intentional possession or use of a dangerous weapon by any person in any of the following locations constitutes the crime of illegal carrying of weapons:

- (1) A law enforcement office, station, or building.
- (2) A detention facility, prison, or jail.
- (3) A courthouse or courtroom, provided that a judge may carry such a weapon in his own courtroom.
- (4) The state capitol building.

Proposed law provides that the crime of illegal carrying of weapons does not apply to a peace officer as defined by present law (R.S. 40:2402(3)) in the performance of his official duties.

(Adds R.S. 14:95(A)(5))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Make technical changes.
2. Provide that the crime of illegal carrying of weapons includes the intentional possession or use of a dangerous weapon by any person in any of the following locations:
 - (a) A law enforcement office, station, or building.
 - (b) A detention facility, prison, or jail.
 - (c) A courthouse or courtroom, provided that a judge may carry such a weapon in his own courtroom.
 - (d) The state capitol building.
3. Clarify that the crime of illegal carrying of weapons does not apply to a peace officer as defined by present law in the performance of his official duties.