Regular Session, 2014

ACT No. 603

SENATE BILL NO. 361

BY SENATOR RISER AND REPRESENTATIVES ADAMS, ARNOLD, BERTHELOT, STUART BISHOP, BROADWATER, BURFORD, HENRY BURNS, CHANEY, CONNICK, CROMER, DOVE, GAROFALO, GISCLAIR, GREENE, GUINN, HARRISON, HAZEL, HODGES, HOFFMANN, HOLLIS, IVEY, KLECKLEY, LEGER, LOPINTO, LORUSSO, JAY MORRIS, PYLANT, REYNOLDS, SCHEXNAYDER, SEABAUGH, THOMPSON, WHITNEY, ALFRED WILLIAMS AND WILLMOTT

1	AN ACT
2	To enact R.S. 40:1379.1.2, 1379.1.3, and 1379.1.4, relative to the carrying of concealed
3	firearms by law enforcement officers and retired law enforcement officers; to
4	authorize the carrying of concealed firearms by certain officers and former officers
5	in public places; to provide relative to accepted forms of identification; and to
6	provide for related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 40:1379.1.2, 1379.1.3, and 1379.1.4 are hereby enacted to read as
9	follows:
10	§1379.1.2. Carrying of concealed firearms by qualified law enforcement
11	officers
12	A. Notwithstanding any other provision of state law or any ordinance of
13	any political subdivision and subject to the rules and regulations or policies of
14	the agency or office employing the individual, an individual who is a qualified
15	law enforcement officer and who is carrying the identification required by his
16	office as a law enforcement officer, may carry a concealed firearm anywhere in
17	the state, including any place open to the public, whether the officer is on duty
18	or not, and regardless of whether the officer is engaged in the actual discharge
19	of his duties.
20	B. As used in this Section, the term "qualified law enforcement officer"
21	means a law enforcement officer who meets all of the following requirements:
22	(1) Is an active, full-time employee of a state or municipal law
23	enforcement agency or sheriff's office and is certified in the use of firearms by
24	the Peace Officer Standards and Training Council.

Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

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2 detection, investigation, or prosecution of, or the incarceration of any person 3 for, any violation of law, and has statutory powers of arrest or apprehension. 4 (3) Is authorized by the employing agency to carry a firearm in 5 accordance with the agency's rules and regulations. 6 (4) Is not the subject of any disciplinary action by the agency which could 7 result in suspension or loss of police powers. 8 (5) Meets standards, if any, established by the agency which require the 9 employee to regularly qualify in the use of a firearm. 10 (6) Is not under the influence of alcohol or another intoxicating or 11 hallucinatory drug or substance. 12 (7) Is not prohibited by federal law from receiving a firearm. 13 C. The identification required by this Section is the photographic 14 identification credential issued by the law enforcement agency for which the 15 individual is employed that identifies the employee as a law enforcement officer 16 of the agency. 17 \$1379.1.3. Carrying of concealed firearms by qualified retired law enforcement officer 18 officers 19 A.Notwithstanding any other provision of state law or any ordinance of	1	(2) Is authorized by law to engage in or supervise the prevention,
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30 <u>agency as a qualified law enforcement officer.</u>	29	(1) Separated from service in good standing from a law enforcement

Page 2 of 4 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

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1	(2) Before such separation, was an active, full-time employee of a state
2	or municipal law enforcement agency or sheriff's office and is certified in the
3	use of firearms by the Peace Officer Standards and Training Council.
4	(3) Was authorized by law to engage in or supervise the prevention,
5	detection, investigation, or prosecution of, or the incarceration of any person
6	for, any violation of law, and had statutory powers of arrest.
7	(4)(a) Before such separation, served as a law enforcement officer for an
8	aggregate of twelve years or more; or
9	(b) Separated from service with such agency after completing any
10	applicable probationary period of such service due to a service-connected
11	disability, as determined by such agency.
12	(5) Qualifies annually in the use of firearms by the Peace Officer
13	Standards and Training Council and has proof of such certification.
14	(6)(a) Has not been officially found by a qualified medical professional
15	employed by the agency to be unqualified for reasons relating to mental health
16	and as a result of this finding will not be issued the photographic identification
17	as described in Subsection C of this Section; or
18	(b) Has not entered into an agreement with the agency from which the
19	<u>individual separated from service in which that individual acknowledged he or</u>
20	she was not qualified under this Section for reasons relating to mental health
20 21	she was not qualified under this Section for reasons relating to mental health and for those reasons did not receive or accept the photographic identification
21	and for those reasons did not receive or accept the photographic identification
21 22	and for those reasons did not receive or accept the photographic identification as described in Subsection C of this Section.
21 22 23	and for those reasons did not receive or accept the photographic identification as described in Subsection C of this Section. (7) Is not under the influence of alcohol or another intoxicating or
21 22 23 24	and for those reasons did not receive or accept the photographic identification as described in Subsection C of this Section. (7) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
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 21 22 23 24 25 26 	 and for those reasons did not receive or accept the photographic identification as described in Subsection C of this Section. (7) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance. (8) Is not prohibited by federal law from receiving a firearm. C. The identification required by this Section is the photographic
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Page 3 of 4 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	Nothing in the provisions of R.S. 40:1379.1.2 and 1379.1.3 shall be
2	construed to supersede the provisions of R.S. 40:1797, and in case of any
3	conflict, the provisions of R.S. 40:1797 shall control.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____