
DIGEST

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Ivey

HB No. 279

Abstract: Requires certain law enforcement officials to take action on requests for weapons transfers.

For purposes of certain provisions of law governing the transfer of weapons, present law defines "firearm" as a shotgun having a barrel of less than 18 inches in length; a rifle having a barrel of less than 16 inches in length; any weapon made from either a rifle or a shotgun if the weapon has been modified to have an overall length of less than 26 inches; any other firearm, pistol, revolver, or shotgun from which the serial number or mark of identification has been obliterated, from which a shot is discharged by an explosive, if that weapon is capable of being concealed on the person; or a machine gun, grenade launcher, flame thrower, bazooka, rocket launcher, excluding black powder weapons, or gas grenade; and includes a muffler or silencer for any firearm, whether or not the firearm is included within this definition. Further provides that pistols, revolvers, and those rifles and shotguns which are not included in this definition of firearms from which serial numbers or marks of identification have not been obliterated are specifically exempt from this definition.

Present federal law provisions (26 U.S.C. 5812) and regulations of the Federal Bureau of Alcohol Tobacco and Firearms (ATF Form 4) require both federal and local law enforcement approval as part of the federal requirements to transfer a firearm.

Proposed law retains present law and requires law enforcement to act upon applications for weapons transfers within 15 days of receipt of the request by either completing the certification or by providing written notice that the certification is denied.

Proposed law provides for immunity for the sheriff or chief law enforcement officer or his employees from any act or omission in signing the required documents.

(Adds R.S. 40:1789.1)