

2022 Regular Session

HOUSE BILL NO. 260

BY REPRESENTATIVE MAGEE

WEAPONS/FIREARMS: Provides relative to a firearm hold agreement

1 AN ACT

2 To enact R.S. 40:1800, relative to firearms; to provide for definitions; to provide for  
3 limitation of liability; to provide for an exception; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 40:1800 is hereby enacted to read as follows:

6 §1800. Firearms; hold agreements; limitation of liability

7 A. For the purposes of this Section:

8 (1) "Federal firearms licensee" means any person engaged in the business of  
9 importing, manufacturing, or dealing in firearms as defined by the National Firearms  
10 Act, 42 U.S.C. 5841 et seq, and who currently holds a valid license according to the  
11 provisions of the federal Gun Control Act of 1968, 18 U.S.C. 921 et seq.

12 (2) "Firearm hold agreement" means a private transaction between a federal  
13 firearms licensee and an individual firearm owner where the licensee takes  
14 possession of the owner’s lawfully-possessed firearm at the owner's request, holds  
15 the firearm for an agreed period of time, and returns the firearm to the owner  
16 according to the terms of the transaction.

17 B.(1) No person shall have a cause of action against a federal firearms  
18 licensee operating lawfully in the state of Louisiana for any act or omission arising  
19 from or subsequent to a firearm hold agreement and resulting in personal injury or  
20 death of any natural person.

- 1                   (2) The limitation of liability provided in Paragraph (1) of this Subsection  
2                   shall not apply to any action arising from a firearm hold agreement if such action  
3                   was the result of otherwise unlawful conduct on the part of the licensee.
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## 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)]

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HB 260 Original

2022 Regular Session

Magee

**Abstract:** Establishes firearm hold agreements, and provides a limitation of liability for federal firearms licensees who enter into such agreements.

Proposed law provides for definitions for "federal firearms licensee" and "firearm hold agreement".

Proposed law provides that no person shall have a cause of action against a federal firearms licensee operating lawfully in this state for any act or omission arising from or subsequent to a firearm hold agreement and resulting in personal injury or death of any natural person.

Proposed law provides that the limitation of liability provided in proposed law shall not apply to any action arising from a firearm hold agreement if such action was the result of otherwise unlawful conduct on the part of the licensee.

(Adds R.S. 40:1800)