HLS 18RS-372 ORIGINAL

2018 Regular Session

HOUSE BILL NO. 415

1

BY REPRESENTATIVE IVEY

WEAPONS/FIREARMS: Provides relative to a "concealed" firearm or weapon

AN ACT

2	To amend and reenact R.S. 40:1379.3(J) and to enact R.S. 14:95(L), relative to weapons; to
3	provide definitions relative to concealed firearms or weapons; and to provide for
4	related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 14:95(L) is hereby enacted to read as follows:
7	§95. Illegal carrying of weapons
8	* * *
9	L. For the purposes of this Section, "concealed" means a loaded firearm or
0	dangerous weapon intentionally carried in a manner as to not be visible or
1	discernible by the ordinary observation of a passerby.
12	Section 2. R.S. 40:1379.3(J) is hereby amended and reenacted to read as follows:
13	§1379.3. Statewide permits for concealed handguns; application procedures;
4	definitions
15	* * *
16	J. For the purposes of this Section, the following terms shall have the
17	meanings ascribed herein:
18	(1) "Concealed" means a loaded firearm or dangerous weapon intentionally
9	carried in a manner as to not be visible or discernible by the ordinary observation of
20	a passerby.

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(2) "Crime of violence" means a crime as defined in R.S. 14:2(B).
2	(2)(3) "Criminal negligence" means there exists such disregard of the interest
3	of others that the license holder's conduct amounts to a gross deviation below the
4	standard of care expected to be maintained by a reasonably careful man under like
5	circumstances.
6	(3)(4) "Handgun" means a type of firearm commonly referred to as a pistol
7	or revolver originally designed to be fired by the use of a single hand and which is
8	designed to fire or is capable of firing fixed cartridge ammunition. The term
9	"handgun" shall not include shotguns or rifles that have been altered by having their
10	stocks or barrels cut or shortened.
11	(4)(5) "Resident" means a person who is legally domiciled in Louisiana. An
12	individual shall prove legal domicile by providing a copy of a valid Louisiana
13	driver's license or an official Louisiana identification card. Notwithstanding
14	anything in this Section to the contrary, a person who maintains a dwelling in this
15	state but is residing elsewhere as a member of the United States military or as a
16	student is still considered to be a resident for the purposes of this Section.
17	* * *

## **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 415 Original

2018 Regular Session

Ivey

**Abstract:** Provides a definition of "concealed" weapons, applicable to the crime of illegal carrying of weapons and the concealed handgun permit laws.

<u>Present law</u> provides for the crime of illegal carrying of weapons and for the issuance of concealed handgun permits.

<u>Proposed law</u> retains the provisions of <u>present law</u> and defines "concealed" as a loaded firearm or dangerous weapon intentionally carried in a manner as to not be visible or discernible by the ordinary observation of a passerby.

(Amends R.S. 40:1379.3(J); Adds R.S. 14:95(L))