

2018 Regular Session

HOUSE BILL NO. 495

BY REPRESENTATIVE HAZEL

WEAPONS/FIREARMS: Provides relative to concealed carry of firearms for qualified retired law enforcement officers

1 AN ACT

2 To amend and reenact R.S. 40:1379.1.4(B)(1) and (6) and to enact R.S. 40:1379.1.4(D),  
3 relative to the carrying of concealed weapons by qualified retired law enforcement  
4 officers; to provide relative to the necessary qualifications for a qualified retired law  
5 enforcement officer; to require the chief law enforcement officer issue retired law  
6 enforcement officers identification for the purposes of carrying concealed weapons;  
7 and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 40:1379.1.4(B)(1) and (6) are hereby amended and reenacted and  
10 R.S. 40:1379.1.4(D) is hereby enacted to read as follows:

11 §1379.1.4. Carrying of concealed firearms by qualified retired law enforcement  
12 officers

13 \* \* \*

14 B. As used in this Section, the term "qualified retired law enforcement  
15 officer" means an individual who meets all of the following:

16 (1) Separated from service in good standing from a law enforcement agency  
17 as a qualified law enforcement officer. For purposes of this Section, an officer is in  
18 "good standing" unless the officer is the subject of an internal investigation for which

1 the presumptive penalty, if the investigation is disposed of as "sustained", is  
2 termination.

3 \* \* \*

4 (6)(a) Has not been officially found by a qualified medical professional  
5 employed by the agency to be unqualified for reasons relating to mental or physical  
6 health and as a result of this finding will not be issued the photographic identification  
7 as described in Subsection C of this Section; or

8 (b) Has not entered into an agreement with the agency from which the  
9 individual separated from service in which that individual acknowledged he or she  
10 was not qualified under this Section for reasons relating to mental or physical health  
11 and for those reasons did not receive or accept the photographic identification as  
12 described in Subsection C of this Section.

13 \* \* \*

14 D. The sheriff or chief law enforcement officer shall issue identification  
15 required by the provisions of this Section to each individual who meets the  
16 qualifications set forth in Subsection B of this Section.

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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 495 Reengrossed                      2018 Regular Session                      Hazel

**Abstract:** Requires the issuance of retired law enforcement identification for the purposes of carrying concealed weapons.

Present law provides that an individual who is retired from service as a qualified law enforcement officer and who was commissioned by the agency or office from which he retired and is carrying the identification required by his office as a retired law enforcement officer, may carry a concealed firearm anywhere in the state, including any place open to the public.

Present law defines "qualified retired law enforcement officer" as an individual who meets certain requirements including the following:

- (1) Separated from service in good standing from a law enforcement agency as a qualified law enforcement officer.
- (2) Has not been officially found by a qualified medical professional employed by the agency to be unqualified for reasons relating to mental health or has not entered into

an agreement with the agency from which the individual separated from service in which that individual acknowledged he or she was not qualified for reasons relating to mental health.

Present law provides that the identification required by present law is the photographic identification credential issued by the agency from which the individual separated from service as a law enforcement officer that identifies the person as having been employed as a law enforcement officer.

Proposed law requires the sheriff or chief law enforcement officer to issue identification required by present law to each individual who meets the requirements set forth in present law for a "qualified retired law enforcement officer".

Further amends the present law requirements as follows:

- (1) Adds that, for purposes of present and proposed law, an officer is in "good standing" unless the officer is the subject of an internal investigation for which the presumptive penalty, if the investigation is disposed of as "sustained", is termination.
- (2) Adds that the person has not been officially found by a qualified medical professional employed by the agency to be unqualified for reasons relating to physical health and has not entered into an agreement with the agency from which the individual separated from service in which that individual acknowledged he or she was not qualified for reasons relating to physical health.

(Amends R.S. 40:1379.1.4(B)(1) and (6); Adds R.S. 40:1379.1.4(D))

#### Summary of Amendments Adopted by House

##### The House Floor Amendments to the engrossed bill:

1. Amend proposed law to require the sheriff or chief law enforcement officer to issue identification required by present law to each individual who meets the requirements for a "qualified retired law enforcement officer" as provided by present law and as amended by proposed law.
2. With regard to the requirements for a "qualified retired law enforcement officer":
  - (a) Add that an officer is in "good standing" unless the officer is the subject of an internal investigation for which the presumptive penalty, if the investigation is disposed of as "sustained", is termination.
  - (b) Add that the person is not unqualified for reasons relating to physical health.