

Regular Session, 2013

HOUSE BILL NO. 8

BY REPRESENTATIVES THOMPSON, KLECKLEY, ADAMS, BARRAS, BERTHELOT, STUART BISHOP, BROADWATER, BROWN, BURFORD, HENRY BURNS, TIM BURNS, CONNICK, CROMER, DOVE, GAROFALO, GISCLAIR, GREENE, GUINN, HAVARD, HENSGENS, HODGES, HOLLIS, HOWARD, IVEY, NANCY LANDRY, LORUSSO, MACK, JAY MORRIS, JIM MORRIS, ORTEGO, PEARSON, POPE, PYLANT, REYNOLDS, RICHARD, SCHEXNAYDER, SEABAUGH, SIMON, STOKES, TALBOT, THIBAUT, AND WHITNEY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

WEAPONS/HANDGUNS: Prohibits the release of information associated with concealed handgun permits or applications for such permits

1 AN ACT

2 To enact R.S. 40:1379.3(A)(3), relative to concealed handgun permits; to prohibit the
3 release, dissemination, or publishing of information with respect to concealed
4 handgun permit applications; to provide for exceptions; to provide for criminal
5 penalties; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:1379.3(A)(3) is hereby enacted to read as follows:

8 §1379.3. Statewide permits for concealed handguns; application procedures;
9 definitions

10 A.

11 * * *

12 (3)(a) Absent a valid court order requiring the release of information, it shall
13 be unlawful for any employee of the Department of Public Safety and Corrections
14 or any law enforcement officer to intentionally disseminate for publication any
15 information contained in an application for a concealed handgun permit or any
16 information regarding the identity of any person who applied for or received a

1 concealed handgun permit issued pursuant to this Section. A person who violates the
2 provisions of this Subparagraph shall be fined not more than five hundred dollars,
3 imprisoned for not more than six months, or both.

4 (b) It shall be unlawful for any person other than an employee of the
5 Department of Public Safety and Corrections or a law enforcement officer to release,
6 disseminate, or make public in any manner any information contained in an
7 application for a concealed handgun permit or any information regarding the identity
8 of any person who applied for or received a concealed handgun permit issued
9 pursuant to this Section. Any person who violates the provisions of this
10 Subparagraph shall be fined ten thousand dollars and may be imprisoned for not
11 more than six months.

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)]

Thompson

HB No. 8

Abstract: Prohibits the release of information contained in concealed handgun permit applications and information regarding the identity of any person who applied for or received such a permit, and provides criminal penalties.

Present law provides for the issuance of concealed handgun permits.

Present law further provides that any information contained in an application for a concealed handgun permit or any information provided in connection with the application submitted to the Dept. of Public Safety and Corrections is confidential, shall not be subject to any public records request, and shall not be considered a public record.

Present law further provides that DPS&C shall not release any list of persons who applied for or received a permit for a concealed handgun.

Proposed law prohibits the release of this information contained in present law and provides penalties as follows:

- (1) An employee of DPS&C or any law enforcement officer who intentionally disseminates for publication information contained in an application for a concealed handgun permit shall be fined not more than \$500, imprisoned for not more than six months, or both. Provides an exception if a court orders the release.
- (2) Any other person who releases, disseminates, or makes public the confidential information shall be fined \$10,000 and may be imprisoned for not more than six months, or both.

(Adds R.S. 40:1379.3(A)(3))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Amended the prohibition applicable to law enforcement officers and DPS&C employees by specifying that such persons are prohibited from intentionally disseminating for publication information covered by proposed law.

House Floor Amendments to the engrossed bill.

1. Added a mandatory fine of \$10,000 and decreased the term of imprisonment from not more than two years to not more than six months.