
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by James Benton.

DIGEST

Riser (SB 361)

Proposed law provides for the carrying of concealed firearms by qualified law enforcement officers and retired law enforcement officers in any place open to the public.

Proposed law provides that the term "qualified law enforcement officer" means:

- (1) Is an active, full-time employee of a state or municipal law enforcement agency or sheriff's office and is certified in the use of firearms by POST.
- (2) Is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers of arrest or apprehension.
- (3) Is authorized by the employing agency to carry a firearm in accordance with the agency's rules and regulations.
- (4) Is not the subject of any disciplinary action by the agency which could result in suspension or loss of police powers.
- (5) Meets standards, if any, established by the agency which require the employee to regularly qualify in the use of a firearm.
- (6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- (7) Is not prohibited by federal law from receiving a firearm.

Proposed law provides that the term "qualified retired law enforcement officer" means an individual who:

- (1) Separated from service in good standing from a law enforcement agency as a qualified law enforcement officer;
- (2) Before such separation, was an active, full-time employee of a state or municipal law enforcement agency or sheriff's office and is certified in the use of firearms by POST.
- (3) Was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest.

- (4) Before such separation, served as a law enforcement officer for an aggregate of 12 years or more; or separated from service with such agency after completing any applicable probationary period of such service due to a service-connected disability, as determined by such agency.
- (5) Qualifies annually in the use of firearms by POST and has proof of such certification.
- (6) Has not been officially found by a qualified medical professional employed by the agency to be unqualified for reasons relating to mental health and as a result of this finding will not be issued the photographic identification; 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 and for those reasons will not receive or accept the photographic identification.
- (7) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- (8) Is not prohibited by federal law from receiving a firearm.

Proposed law provides that the identification required by proposed law is the photographic identification credential issued by the law enforcement agency for which the individual is employed or has been employed that identifies the employee as a law enforcement officer of the agency or identifies the person as having been employed as a law enforcement officer.

Effective August 1, 2014.

(Adds R.S. 40:1379.1.2 and 1379.1.3)