

Regular Session, 2010

ACT No. 353

HOUSE BILL NO. 141

BY REPRESENTATIVE WOOTON

1 AN ACT

2 To amend and reenact R.S. 40:1784, relative to applications to possess or transfer certain
3 firearms; to provide for the use of electronic applications approved by the
4 Department of Public Safety and Corrections for the possession or transfer of certain
5 firearms; to provide that applications for the possession or transfer of certain
6 firearms may be filed electronically; to provide that electronic applications are
7 contingent upon purchase of equipment; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 40:1784 is hereby amended and reenacted to read as follows:

10 §1784. Application to possess or transfer; use of information or evidence

11 A. No person shall ~~continue to possess or shall~~ transfer any firearm without
12 the prior approval of the department. ~~Interested persons~~ Any person seeking
13 approval from the department shall file written applications in duplicate on
14 application forms issued in blank for those purposes by the department, or
15 electronically as approved by the department. In the case of transfers of any firearm,
16 applications shall be filed by both the proposed vendor and the proposed vendee.

17 B. The applications shall set forth, in the original and duplicate, or
18 electronically, the manufacturer's number or other mark identifying the firearm.
19 Both the original and duplicate, or electronic application, shall be forwarded to the
20 department. If approved, the original shall be returned or notice shall be issued to
21 the applicant.

22 C. No information or evidence obtained from an application, registration, or
23 records required to be submitted or retained by a natural person in order to comply
24 with any provision of this Part or regulations issued thereunder shall, except as

1 provided by the laws on perjury or false swearing, be used, directly or indirectly, as
 2 evidence against that person in a criminal proceeding with respect to a violation of
 3 law occurring prior to or concurrently with the filing of the application or
 4 registration, or the compiling of the records containing the information or evidence.

5 D. The availability of electronic applications as authorized by the provisions
 6 of this Section is contingent upon the Department of Public Safety and Corrections
 7 receiving adequate funding to acquire, implement, and maintain a computer or
 8 database system to support electronic applications.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____