

Regular Session, 2014

HOUSE BILL NO. 337

BY REPRESENTATIVES THOMPSON, HENRY BURNS, TIM BURNS, CARMODY, COX, GREENE, HOFFMANN, IVEY, KATRINA JACKSON, JEFFERSON, LOPINTO, MILLER, JAY MORRIS, REYNOLDS, SEABAUGH, ST. GERMAIN, AND PATRICK WILLIAMS

EXPLOSIVES: Provides with respect to the regulation of explosives

1 AN ACT

2 To amend and reenact R.S. 40:1472.3(B) and to enact R.S. 40:1472.3(A)(4), relative to the
3 regulation of explosives; to provide for the authority to inspect all facilities under the
4 control of an explosives licensee; to require that an applicant for a state explosives
5 license possess a valid federal explosives license or permit; and to provide for related
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:1472.3(B) is hereby amended and reenacted and R.S.
9 40:1472.3(A)(4) is hereby enacted to read as follows:

10 §1472.3. License; manufacturer, dealer-distributor, user, blaster, or handler of
11 explosives

12 A.

13 * * *

14 (4) The Department of Public Safety and Corrections is authorized to inspect
15 all facilities under the control of an explosives licensee when the license is issued
16 pursuant to the provisions of this Section.

17 B.(1) Each manufacturer, dealer-distributor, and user shall possess a valid
18 license or permit issued by the United States Bureau of Alcohol, Tobacco, Firearms
19 and Explosives.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 (2) Each manufacturer, dealer-distributor, and user maintaining a Type 1,
 2 Type 2, Type 4, or Type 5 storage magazine as defined by regulations promulgated
 3 pursuant to this Part shall possess an additional license, as ~~herein set forth~~ set forth
 4 in this Paragraph, for each magazine. Type 3 portable magazines or "day boxes"
 5 used for taking detonators and other explosives from storage magazines to the
 6 blasting area are exempt from the licensing and location reporting requirements of
 7 this ~~Subsection~~ Paragraph. The department shall assign to each magazine licensed
 8 pursuant to this Part a license number which shall be posted on the magazine in a
 9 manner prescribed by the department. The exact location of such magazines shall
 10 be reported to the deputy secretary in the application for such license. Any change
 11 in such magazine locations shall be reported to the Department of Public Safety and
 12 Corrections, explosives control unit, in advance of the actual change in a manner
 13 prescribed by the department. Written notice of such location change shall be filed
 14 with the Department of Public Safety and Corrections, explosives control unit and
 15 the deputy secretary, not later than seven calendar days after such change is effected.

16 * * *

17 Section 2. This Act shall become effective upon signature by the governor or, if not
 18 signed by the governor, upon expiration of the time for bills to become law without signature
 19 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 20 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 21 effective on the day following such approval.

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. 337

Abstract: Requires applicants for a state explosives license to possess a valid federal license and provides for the inspection of facilities controlled by persons issued explosives licenses.

Present law provides for the licensing and regulation of any person or business acquiring, selling, possessing, storing, or using or handling explosives.

Present law establishes qualifications and criteria for the issuance of licenses to handle explosives.

Proposed law retains present law and authorizes the Dept. of Public Safety and Corrections to inspect all facilities under the control of an explosives licensee issued pursuant to present law.

Proposed law adds the requirement that each manufacturer, dealer-distributor, and user shall possess a valid license or permit issued by the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives to be eligible to obtain a Louisiana-issued explosives license.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 40:1472.3(B); Adds R.S. 40:1472.3(A)(4))

Summary of Amendments Adopted by House

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

1. Added that each manufacturer, dealer-distributor, and user shall possess a valid license or permit issued by the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives to be eligible to obtain a Louisiana-issued explosives license.

House Floor Amendments to the engrossed bill.

1. Added an emergency effective date.