HLS 10RS-742 ENGROSSED

Regular Session, 2010

HOUSE BILL NO. 60

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BY REPRESENTATIVE WOOTON

WEAPONS/HANDGUNS: Amends concealed handgun permit laws

1 AN ACT 2 To amend and reenact R.S. 40:1379.3(A)(1), (B), (C)(introductory paragraph), and (T), 3 relative to concealed handgun permits; to provide for the issuance of Louisiana 4 concealed handgun permits; to provide with respect to the recognition of nonresident 5 concealed handgun permits; to provide for a period of time when previously issued 6 nonresident concealed handgun permits shall be considered valid; and to provide for 7 related matters. 8 Be it enacted by the Legislature of Louisiana: 9 Section 1. R.S. 40:1379.3(A)(1), (B), (C)(introductory paragraph), and (T) are 10 hereby amended and reenacted to read as follows: 11 §1379.3. Statewide permits for concealed handguns; application procedures; 12 definitions 13 A.(1) Notwithstanding any other provision of law to the contrary, the deputy 14 secretary of public safety services of the Department of Public Safety and 15 Corrections shall issue a concealed handgun permit to any citizen Louisiana resident 16 who qualifies for a permit under the provisions of this Section and may promulgate 17 rules and adopt regulations regarding concealed handgun permits in accordance with 18 the Administrative Procedure Act. The permit shall contain a permit number, 19 expiration date, photograph, and the name, address, and date of birth of the 20 permittee.

## Page 1 of 4

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

B.(1) A concealed handgun permit shall only be issued to a Louisian
resident who qualifies for a permit under the provisions of this Section. pursuant t
this Section A concealed handgun permit issued pursuant to the provisions of this
Section shall grant authority to a citizen Louisiana resident to carry a conceale
handgun on his person.
(2) A Louisiana resident shall be required to possess a valid conceale
handgun permit issued by the state of Louisiana pursuant to the provisions of thi
Section in order to carry a concealed handgun in the state of Louisiana.
C. To qualify for a concealed handgun permit, a citizen Louisiana resider
shall:
* * *
T.(1) Possession of a current and valid concealed handgun permit issue
pursuant to this Section shall constitute sufficient evidence of the background chec
required pursuant to 18 U.S.C. 922(t).
(2) A current and valid concealed handgun permit issued by another state t
an individual having attained the age of twenty-one years shall be deemed to be vali
for the out-of-state permit holder to carry a concealed weapon within this state if
current and valid concealed handgun permit issued by Louisiana is valid in thos
states.
(3) An out-of-state permit holder carrying a concealed handgun pursuant t
this Paragraph is bound by the laws of this state regarding carrying a conceale
handgun pursuant to a permit issued in accordance with this Section.
(2) (4) A nonresident concealed handgun permit issued by another state is
invalid in the state of Louisiana if issued to an individual who as a resident of thi
state has been denied a handgun permit or has been issued a handgun permit whic
is under revocation or suspension for the purpose of authorizing a Louisiana resider
to carry a concealed handgun in the state of Louisiana.
(3)(5) The deputy secretary for public safety services shall also have the
authority to enter into reciprocity agreements with other states so that full-time activ

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peace officers commissioned in another state shall have the same authority as a person issued a concealed handgun permit pursuant to this Section to carry a concealed handgun while in this state, regardless of whether or not they are in the official discharge of their duties, and full-time active law enforcement officers commissioned in this state shall have the authority to carry a concealed handgun in those states whether or not they are in the official discharge of their duties. An outof-state law enforcement officer carrying a concealed handgun pursuant to this Paragraph is bound by the laws of this state regarding carrying a concealed handgun pursuant to a permit issued in accordance with this Section.

Section 2. A nonresident concealed handgun permit which is valid on August 15, 2010, shall be deemed valid until August 15, 2011. On or after August 15, 2011, any nonresident concealed handgun permit which was valid on August 15, 2010, shall be deemed to be null, void, and of no effect in the state of Louisiana.

## 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)]

Wooton HB No. 60

**Abstract:** Provides for the issuance of concealed handgun permits to La. residents and provides that nonresident concealed handgun permits are invalid for certain purposes.

<u>Present law</u> provides for the qualifications and issuance of concealed handgun permits.

Present law provides that permits shall be issued to qualified "citizens".

<u>Proposed law</u> changes the term "citizen" to "La. resident", authorizing permits to be issued to La. residents only.

<u>Present law</u> defines "resident" as a person who maintains a dwelling in this state and is physically present in this state at least 51% of each calendar year; however, a person who maintains a dwelling in this state but is not physically present in this state at least 51% of each calendar year is still considered to be a resident if he is on U.S. military duty in another state or is attending school in another state.

<u>Present law</u> provides that a nonresident concealed handgun permit issued by another state is invalid in the state of La. if issued to an individual who as a resident of this state has been denied a handgun permit or has been issued a handgun permit which is under revocation or suspension.

## Page 3 of 4

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<u>Proposed law</u> changes <u>present law</u> to provide that a concealed handgun permit issued by another state is invalid in the state of La. for the purpose of authorizing a La. resident to carry a concealed handgun in the state of La.

<u>Proposed law</u> provides that a nonresident concealed handgun permit valid on Aug. 15, 2010, shall be deemed valid until Aug. 15, 2011. On or after Aug. 15, 2011, any nonresident concealed handgun permit which was valid on Aug. 15, 2010, shall be deemed null, void, and of no effect in the state of La.

(Amends R.S. 40:1379.3(A)(1), (B), (C)(intro. para.), and (T))

## Summary of Amendments Adopted by House

Committee Amendments Proposed by <u>House Committee on Administration of Criminal Justice</u> to the <u>original</u> bill.

- 1. Added that a La. resident shall be required to possess a valid concealed handgun permit issued by the state of La. in order to carry a concealed handgun in this state.
- 2. Added that a concealed handgun permit issued by another state is invalid in the state of La. for the purpose of authorizing a La. resident to carry a concealed handgun in this state.
- 3. Changed the word "resident" to "individual" regarding permits issued in other states.