

Regular Session, 2012

SENATE BILL NO. 78

BY SENATOR MORRISH

CRIME/PUNISHMENT. Amends the definition of illegal carrying of weapons to exclude certain knives. (8/1/12)

1 AN ACT

2 To amend and reenact R.S. 14:95(A)(4), relative to the illegal carrying and discharge of
3 weapons; to exclude certain knives from the prohibition of certain weapons; and to
4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:95(A)(4) is hereby amended and reenacted to read as follows:

7 §95. Illegal carrying of weapons

8 A. Illegal carrying of weapons is:

9 * * *

10 (4) (a) The manufacture, ownership, possession, custody or use of any
11 switchblade knife, spring knife or other knife or similar instrument having a blade
12 which may be automatically unfolded or extended from a handle by the manipulation
13 of a button, switch, latch or similar contrivance **located on the handle.**

14 **(b) The provisions of this Paragraph shall not apply to the following:**

15 **(i) Any knife that may be opened with one hand by manual pressure**
16 **applied to the blade or any projection of the blade.**

17 **(ii) Any knife that may be opened by means of inertia produced by the**

1 **hand, wrist, or other movement, provided the knife has either a detent or other**
2 **structure that provides resistance that shall be overcome in opening or initiating**
3 **the opening movement of the blade or a bias or spring load toward the closed**
4 **position.**

5 * * *

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

DIGEST

Morrish (SB 78)

Present law defines illegal carrying of weapons as the manufacture, ownership, possession, custody or use of any switchblade knife, spring knife or other knife or similar instrument having a blade which may be automatically unfolded or extended from a handle by the manipulation of a button, switch, latch or similar contrivance.

Proposed law excludes from the definition of illegal carrying of weapons the following knives:

1. Any knife that may be opened with one hand by manual pressure applied to the blade or any projection of the blade.
2. Any knife that may be opened by means of inertia produced by the hand, wrist, or other movement, provided the knife has either a detent or other structure that provides resistance that must be overcome in opening or initiating the opening movement of the blade or a bias or spring load toward the closed position.

Effective August 1, 2012.

(Amends R.S. 14:95(A)(4))