

2023 Regular Session

SENATE BILL NO. 130

BY SENATOR MORRIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LAW ENFORCEMENT. Authorizes retired law enforcement officers and retired elected law enforcement department heads to carry concealed firearms if POST certified at the time of retirement. (8/1/23)

1 AN ACT

2 To amend and reenact R.S. 14:95(G)(2) and to enact R.S. 14:95(G)(4), relative to the crime
3 of illegal carrying of weapons; to provide an exemption for retired law enforcement
4 officers and retired elected heads of law enforcement departments under certain
5 circumstances; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:95(G)(2) is hereby amended and reenacted and R.S. 14:95(G)(4)
8 is hereby enacted to read as follows:

9 §95. Illegal carrying of weapons

10 * * *

11 G. * * *

12 (2) The provisions of this Section shall not apply to any law enforcement
13 officer who is retired from full-time active law enforcement service with at least
14 twelve years service upon retirement, nor shall it apply to any enforcement officer
15 of the office of state parks; in the Department of Culture, Recreation and Tourism
16 who is retired from active duty as an enforcement officer, provided that ~~such~~:

17 **(a) The retired officers have officer has on their persons his person** valid

1 identification as ~~a~~ retired law enforcement ~~officers~~ officer, which identification shall
 2 be provided by the entity ~~which~~ that employed the officer prior to his ~~or her~~ public
 3 retirement. ~~The retired law enforcement officer must be qualified annually in the use~~
 4 ~~of firearms by the Council on Peace Officer Standards and Training and have proof~~
 5 ~~of such qualification.~~ This exception shall not apply to ~~such officers~~ an officer who
 6 ~~are~~ is medically retired based upon any mental impairment.

7 (b) The retired officer was properly certified by the Council on Peace
 8 Officer Standards and Training at the time of retirement, in accordance with
 9 R.S. 40:1379.3(D)(1)(f).

10 * * *

11 (4) The provisions of this Section shall not apply to any retired elected
 12 head of a law enforcement department, provided that he was firearms qualified
 13 by the Council on Peace Officer Standards and Training at the time of
 14 retirement.

15 * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement Jr.

DIGEST

SB 130 Original 2023 Regular Session Morris

Present law provides relative to the crime of illegal carrying of weapons, defined in pertinent part as the intentional concealment of any firearm on one's person.

Proposed law retains present law.

Present law provides an exception to present law for any law enforcement officer who is retired from full-time active law enforcement service with at least 12 years service, and for any enforcement officer of the office of state parks who is retired from active duty as an enforcement officer. Present law further provides that for this exception to apply, the retired officer must have valid identification as a retired law enforcement officer and must be qualified annually in the use of firearms by the Council on Peace Officer Standards and Training (POST).

Proposed law deletes the present law requirement of annual firearms qualification and provides that the retired officer need only have been properly certified by POST at the time of retirement, in accordance with present law relative to exceptions to the concealed handgun permit (CHP) requirement.

Proposed law also provides an exception to present law for any retired elected head of a law enforcement department, provided that he was firearms qualified by POST at the time of retirement.

Present law provides the requirements for obtaining a CHP, and provides an exception to those requirements for retired law enforcement officers.

Proposed law makes the present law exception to the crime of illegal carrying of weapons for retired law enforcement officers consistent with the present law exception to CHP requirements.

Proposed law otherwise retains present law.

Effective August 1, 2023.

(Amends R.S. 14:95(G)(2); adds R.S. 14:95(G)(4))