

2024 Second Extraordinary Session

SENATE BILL NO. 2

BY SENATOR MIGUEZ AND REPRESENTATIVE BEAULLIEU

LIABILITY. Provides relative to liability for persons authorized to carry a concealed handgun. (gov sig) (Item #19)

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AN ACT

To enact R.S. 9:2793.12, relative to liability of persons authorized to carry a concealed handgun; to provide with respect to persons authorized to own, possess, use, or carry a concealed handgun; to provide relative to immunity from civil liability; to provide for definitions; to provide for exceptions; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 9:2793.12 is hereby enacted to read as follows:

§2793.12. Limitation of liability; concealed handgun permit; definitions; exceptions

A. As used in this Section, the term "authorized person" shall include any person authorized to own, possess, use, or carry a concealed handgun pursuant to provisions of R.S. 40:1379 through 1379.3.2.

B. An authorized person pursuant to the provisions of this Section shall have no liability imposed on him based upon the conduct or actions of the authorized person in relation to the ownership, possession, use, or carrying of a concealed handgun.

C. The provisions of Subsection B of this Section shall not be applicable**to the following:****(1) Acts or omissions which constitute gross negligence, intentional misconduct, or a violation of any provision of criminal law in this state.****(2) Any person without authorization pursuant to Subsection A of this Section at the time of the events giving rise to a claim.****D. Nothing in this Section shall be construed to limit or abrogate other immunities, limitations on liability, or defenses provided for in any other provision of law.**

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

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

DIGEST

SB 2 Original

2024 Second Extraordinary Session

Miguez

Proposed law provides as used in proposed law, the term "authorized person" shall include any person authorized to own, possess, use, or carry a concealed handgun pursuant to provisions of R.S. 40:1379 through 1379.3.2.

Proposed law provide that liability shall not be imposed on any authorized person under proposed law based upon the conduct or actions of the authorized person in relation to the ownership, possession, use, or carrying of a concealed handgun.

Proposed law provides the provisions of proposed law shall not be applicable to the following:

- (1) Acts or omissions which constitute gross negligence, intentional misconduct, or a violation of any criminal law in this state; or
- (2) Any person without authorization pursuant to proposed law at the time of the events giving rise to a claim.

Proposed law provides that nothing in proposed law shall be construed to limit or abrogate

other immunities, limitations on liability, or defenses provided for in any other provision of law.

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

(Adds R.S. 9:2793.12)