

2021 Regular Session

SENATE BILL NO. 115

BY SENATOR PEACOCK

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

CRIME/PUNISHMENT. Prohibits possession of firearms, ammunition, or electric weapons or devices by certain felons. (8/1/21)

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AN ACT

To amend and reenact R.S. 14:95.1(A), relative to illegal carrying and discharge of weapons; to prohibit possession of a firearm or carrying a concealed weapon by a person convicted of certain felonies; to provide for consideration of certain juvenile offenses; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 14:95.1(A) is hereby amended and reenacted to read as follows:

§95.1. Possession of firearm or carrying concealed weapon by a person convicted of certain felonies

A.(1) It is unlawful for any person who has been convicted of, or has been found not guilty by reason of insanity for, a crime of violence as defined in R.S. 14:2(B) which is a felony or simple burglary, burglary of a pharmacy, burglary of an inhabited dwelling, unauthorized entry of an inhabited dwelling, felony illegal use of weapons or dangerous instrumentalities, manufacture or possession of a delayed action incendiary device, manufacture or possession of a bomb, or possession of a firearm while in the possession of or during the sale or distribution of a controlled dangerous substance, or any violation of the Uniform Controlled Dangerous

1 Substances Law which is a felony, or any crime which is defined as a sex offense in
 2 R.S. 15:541, or any crime defined as an attempt to commit one of the above-
 3 enumerated offenses under the laws of this state, or who has been convicted under
 4 the laws of any other state or of the United States or of any foreign government or
 5 country of a crime which, if committed in this state, would be one of the above-
 6 enumerated crimes, to possess a firearm or carry a concealed weapon.

7 **(2) This Section shall also apply to any person that committed a**
 8 **felony-grade delinquent act described in Paragraph (1) of this Subsection if**
 9 **adjudicated when that person was a child, as defined in Ch. C. Article 804, and**
 10 **such person is under age twenty-four.**

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

DIGEST

SB 115 Original

2021 Regular Session

Peacock

Present law prohibits any person convicted of, or found not guilty by reason of insanity for, a crime of violence as defined in present law, or any crime defined as an attempt to commit a crime of violence under the laws of Louisiana, or has been convicted under the laws of any other state or of the United States or of any foreign government or country of a crime which, if committed in this state, would be a crime of violence, from possessing a firearm or carrying a concealed weapon.

Proposed law retains present law and extends the prohibition from possessing a firearm or carrying a concealed weapon to persons that committed a felony-grade delinquent act (a crime of violence committed by a child) when that person was a child and that person is under the age of 24.

Effective August 1, 2021.

(Amends R.S. 14:95.1(A))