

Regular Session, 2008

HOUSE BILL NO. 199

BY REPRESENTATIVES WOOTON AND WHITE

WEAPONS/FIREARMS: Authorizes concealed handgun permit holders to carry concealed handguns on college campuses

1 AN ACT

2 To amend and reenact R.S. 14:95.2(B)(1) and (C)(4) and R.S. 40:1379.3(N)(11) and to enact
3 R.S. 14:95.2(C)(9) and (H), relative to carrying a firearm on school property; to
4 provide an exception for individuals on the campus of a college, university, or
5 postsecondary vocational-technical school who possess a concealed handgun permit;
6 to limit the authority of the governing body of a college, university, or postsecondary
7 vocational-technical school to regulate the ability of a person issued a concealed
8 handgun permit to lawfully carry a concealed handgun; to create an exception
9 regarding areas where a concealed handgun may be carried; to amend definitions;
10 and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 14:95.2(B)(1) and (C)(4) are hereby amended and reenacted and R.S.
13 14:95.2(C)(9) and (H) are hereby enacted to read as follows:

14 §95.2. Carrying a firearm, or dangerous weapon, by a student or nonstudent on
15 school property, at school-sponsored functions or firearm-free zone

16 * * *

17 B. For purposes of this Section, the following words have the following
18 meanings:

19 (1) "School" means any elementary, secondary, high school, secondary
20 vocational-technical school, postsecondary vocational-technical school, college, or
21 university in this state.

22 * * *

1 C. The provisions of this Section shall not apply to:

2 * * *

3 (4) The possession of a firearm occurring within one thousand feet of school
4 property and entirely on private property, or entirely within a private residence, or
5 in accordance with a concealed handgun permit issued pursuant to R.S. 40:1379.1
6 or 1379.3.

7 * * *

8 (9) The possession of a firearm on the campus of a college or university or
9 a postsecondary vocational-technical school by a person issued a concealed handgun
10 permit pursuant to R.S. 40:1379.1 or 1379.3.

11 * * *

12 H. No governing body of a college or university or postsecondary
13 vocational-technical school shall have the authority to establish rules or regulations
14 limiting or abridging the ability of a person issued a concealed handgun permit
15 pursuant to R.S. 40:1379.1 or 1379.3 to lawfully carry a concealed handgun.
16 However, governing bodies of educational institutions may establish rules or
17 regulations relating to the storage of firearms on campus.

18 Section 2. R.S. 40:1379.3(N)(11) is hereby amended and reenacted to read as
19 follows:

20 §1379.3. Statewide permits for concealed handguns; application procedures;
21 definitions

22 * * *

23 N. No concealed handgun may be carried into and no concealed handgun
24 permit issued pursuant to this Section shall authorize or entitle a permittee to carry
25 a concealed handgun in any of the following:

26 * * *

27 (11) Any school "firearm-free zone" as defined in R.S. 14:95.6, except to the
28 extent permitted by the provisions of R.S. 14:95.2(C).

29 * * *

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. 199

Abstract: Authorizes the carrying of handguns on college, university, or postsecondary vocational-technical school campuses by individuals who possess a concealed handgun permit.

Present law prohibits the carrying of a firearm or dangerous weapon on school property.

Present law defines "school" as any elementary, secondary, high school, vocational-technical school, college, or university in this state.

Proposed law adds secondary to vocational-technical school and postsecondary vocational-technical schools.

Present law contains exceptions to the prohibition against carrying firearms on school property.

Proposed law adds the possession of a firearm on the campus of a college or university or a postsecondary vocational-technical school by a person issued a concealed handgun permit.

Proposed law prohibits the governing body of a college or university or postsecondary vocational-technical school from establishing rules or regulations limiting or abridging the ability of a person issued a concealed handgun permit to lawfully carry a concealed handgun.

Proposed law permits governing bodies of educational institutions to establish rules or regulations relating to the storage of firearms on campus.

Present law provides that no concealed handgun may be carried and no concealed handgun permit shall authorize or entitle a permittee to carry a concealed handgun in any school "firearm-free zone".

Proposed law provides an exception to the "firearm-free zone" to allow concealed weapons permit holders to carry a handgun on certain campuses and in limited circumstances, and within 1,000 feet of school property and entirely on private property, or entirely within a private residence.

(Amends R.S. 14:95.2(B)(1) and (C)(4) and R.S. 40:1379.3(N)(11); Adds R.S. 14:95.2(C)(9) and (H))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Provides that the governing bodies of educational institutions may establish rules or regulations regarding the storage of firearms on campus.
2. Adds postsecondary vocational-technical schools to the definition of "school".

3. Adds exception to "firearm-free zone" for concealed weapons holders within 1,000 feet of school property and entirely on private property, or entirely within a private residence.