

2020 Regular Session

HOUSE BILL NO. 865

BY REPRESENTATIVE AMEDEE

WEAPONS/FIREARMS: Provides relative to the authority to regulate the manufacture, possession, or sale of firearms or ammunition during a declared emergency or disaster

1 AN ACT

2 To amend and reenact R.S. 14:329.6(C) and (G) and R.S. 29:724(D)(6), 727(F)(8), 730.3(F),

3 and 737(B)(7), to enact R.S. 14:329.6(H)(3) and R.S. 29:738(C), and to repeal R.S.

4 14:329.6(A)(6), relative to the regulation of firearms and ammunition during a

5 declared emergency or disaster; to provide relative to the authority to regulate the

6 manufacture, sale, and possession of firearms and ammunition during a declared

7 emergency or disaster; to provide relative to the authority of firearm- and

8 ammunition-related businesses to operate during a declared emergency or disaster;

9 to provide relative to the authority of certain officials to regulate with respect to

10 firearms and ammunition during a declared emergency or disaster; and to provide for

11 related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 14:329.6(C) and (G) are hereby amended and reenacted and R.S.
14 14:329.6(H)(3) is hereby enacted to read as follows:

15 §329.6. Proclamation of state of emergency; conditions therefor; effect thereof

16 * * *

17 C. All orders promulgated pursuant to this ~~section~~ Section shall be executed

1 in triplicate and shall be filed with the clerk of court of the parish affected and with
2 the secretary of state of this state.

3 * * *

4 G. As used in this Section:

5 (1) "Disaster" shall have the same meaning as provided in ~~R.S. 29:723(1)~~
6 R.S. 29:723.

7 (2) "Emergency" shall have the same meaning as provided in ~~R.S. 29:723(2)~~
8 R.S. 29:723.

9 H.

10 * * *

11 (3) Nothing in this Section shall prohibit firearms and ammunition
12 manufacturers, distributors, wholesalers, suppliers, and retailers from operating or
13 conducting business during a declared emergency or disaster.

14 Section 2. R.S. 29:724(D)(6), 727(F)(8), 730.3(F), and 737(B)(7) are hereby
15 amended and reenacted and R.S. 29:738(C) is hereby enacted to read as follows:

16 §724. Powers of the governor

17 * * *

18 D. In addition to any other powers conferred upon the governor by law, he
19 may do any or all of the following:

20 * * *

21 (6) Suspend or limit the sale, dispensing, or transportation of alcoholic
22 beverages, ~~firearms~~, explosives, and combustibles, excluding those components of
23 firearm ammunition.

24 * * *

25 §727. Powers of the parish president; penalties for violations

26 * * *

27 F. In addition to any other powers conferred upon the parish president by the
28 constitution, laws, or by a home rule charter or plan of government, such authority

Proposed law retains present law and adds that nothing in present or proposed law prohibits firearms and ammunition manufacturers, distributors, wholesalers, suppliers, and retailers from operating or conducting business during a declared disaster or emergency.

(Amends R.S. 14:329.6(C) and (G) and R.S. 29:724(D)(6), 727(F)(8), 730.3(F), and 737(B)(7); Adds R.S. 14:329.6(H)(3) and R.S. 29:738(C); Repeals R.S. 14:329.6(A)(6))