2023 Regular Session

HOUSE BILL NO. 175

BY REPRESENTATIVE BOYD

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

WEAPONS/FIREARMS: Prohibits carrying firearms into hospitals and mental health facilities

1	AN ACT
2	To amend and reenact R.S. 14:402.1(A), relative to the taking of contraband to hospitals; to
3	provide relative to the taking of firearms or certain other instrumentalities into a
4	hospital, mental health facility, or community health center; to provide for
5	exceptions; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 14:402.1(A) is hereby amended and reenacted to read as follows:
8	§402.1. Taking of contraband to hospitals, mental health facilities, community
9	health centers unlawful; penalty
10	A.(1) It shall be unlawful for any person to introduce or attempt to introduce
11	into or upon the grounds or buildings of any hospital, mental health facility,
12	community health center, or related facility, except through regular channels as
13	authorized by the administrator of the hospital, any of the following articles which
14	are hereby declared contraband for the purposes of this Section, namely: Any
15	intoxicating beverage or beverage which causes or may cause an intoxicating effect,
16	any controlled dangerous substance that has not been prescribed or recommended in
17	accordance with the Uniform Controlled Dangerous Substances Law at R.S. 40:961
18	et seq., and any firearm or other any instrumentality customarily considered a
19	dangerous weapon possessed by a person who is prohibited from possessing the
20	firearm or instrumentality pursuant to state or federal law, or any firearm.

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(2) The provisions of this Section shall not apply to any of the following:
2	(a) An employee of a hospital, mental health facility, community health
3	center, or related facility who possesses a firearm in accordance with a concealed
4	handgun permit issued pursuant to R.S. 40:1379.3.
5	(b) A security officer who is employed or sanctioned and approved by any
6	hospital, mental health facility, community health center, or related facility to protect
7	a person, property, or both, provided the officer successfully completes the Louisiana
8	Commission on Law Enforcement's firearms training for peace officers of this state,
9	including annual recertification of such training.
10	* * *

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)]

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Abstract: Prohibits the carrying of firearms into hospitals, mental health facilities, or community health centers with exceptions for employees with concealed handgun permits and security officers.

<u>Present law</u> (R.S. 14:402.1) provides for the crime of taking contraband into hospitals. Further provides that no one shall introduce or attempt to introduce upon the grounds or buildings of any hospital or related facility, except through regular channels as authorized by the administrator of the hospital, any of the following:

- (1) Any intoxicating beverage or beverage which causes or may cause an intoxicating effect.
- (2) Any controlled dangerous substance that has not been prescribed or recommended in accordance with <u>present law</u> (Uniform Controlled Dangerous Substances Law at R.S. 40:961 et seq.).
- (3) Any firearm or other instrumentality customarily considered a dangerous weapon when possessed by a person who is prohibited from possessing the firearm or instrumentality pursuant to state or federal law.

<u>Proposed law</u> retains <u>present law</u>, but amends the firearm provision to prohibit the carrying of any firearm into a hospital as well as any mental health facility or community health center, regardless of whether the person is otherwise prohibited from possessing the firearm.

<u>Proposed law</u> provides exceptions to the firearm prohibition for the following individuals:

(1) Any employee of a hospital, mental health facility, community health center, or related facility who possesses a firearm in accordance with a concealed handgun permit issued pursuant to present law (R.S. 40:1379.3).

(2) A security officer who is employed or sanctioned and approved by any hospital, mental health facility, community health center, or related facility to protect a person, property, or both, provided the officer successfully completes the La. Commission on Law Enforcement's firearms training for peace officers of this state, including annual recertification of such training.

(Amends R.S. 14:402.1(A))