
DIGEST

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Richmond

HB No. 68

Abstract: Bans assault weapons on or after Sept. 13, 2004. Provides for registration of weapons possessed prior to Sept. 13, 2004.

Proposed law provides that on or after Jan. 1, 2009, assault weapons are banned in the state of La. and no person shall:

- (1) Possess an assault weapon except as provided for in proposed law.
- (2) Possess an assault weapon conversion kit.
- (3) Manufacture, purchase, sell, or otherwise transfer an assault weapon, or assault weapon conversion kit.
- (4) Possess a large-capacity detachable magazine capable of use with an assault weapon.

Proposed law provides that a person possessing an assault weapon prior to Jan. 1, 2009, shall either surrender the assault weapon to state police or register the assault weapon and apply for a license to possess an assault weapon. Requires registration, criminal background check, and payment of a \$25 registration and licensing fee.

Proposed law requires the registration and application be submitted to state police by March 13, 2005. The license has a term of one year.

Proposed law provides that the holder of a license to possess an assault weapon issued pursuant to the provisions of proposed law shall only be authorized to possess the assault weapon under the following conditions:

- (1) The licensee possesses the assault weapon only on property owned or immediately controlled by the person, or while engaged in the legal use of the assault weapon at a duly licensed firing range, or while traveling to or from either of these locations for the purpose of engaging in the legal use of the assault weapon, provided that the assault weapon is stored unloaded and in a separate locked container during transport.
- (2) The licensee possesses the assault weapon while lawfully engaged in shooting at a duly licensed, lawfully operated shooting range.
- (3) The licensee possesses the assault weapon while lawfully participating in a sporting event officially sanctioned by a club or organization established in whole or in part for the purpose of sponsoring sport shooting events.
- (4) The licensee shall have in his immediate possession the license to possess an assault weapon at all times while in possession of the assault weapon.

Proposed law provides that a person possessing an assault weapon prior to Jan. 1, 2009, shall surrender the assault weapon to state police when either of the following occur:

- (1) The person does not register the assault weapon and obtain a license for its possession.
- (2) The person is prohibited from possessing a firearm under state or federal law and has applied for a license to possess an assault weapon.

Proposed law provides that a fee of \$25 shall be collected by state police for the registration of an assault weapon and the issuance of a license to possess an assault weapon.

Proposed law provides for the creation of the Assault Weapon Registration and Licensing Fund and provides that monies from the fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely for the expenses of the office of state police related to the registration of assault weapons and the issuance of licenses to possess assault weapons.

Proposed law provides that proposed law shall not apply to:

- (1) A federal, state, or local law enforcement officer in the performance of his official duties.
- (2) Any person licensed under 18 U.S.C. 923 for the purpose of selling an assault weapon or large capacity detachable magazine to a law enforcement agency.
- (3) An assault weapon that has been permanently disabled so that it is incapable of discharging a projectile.
- (4) Any assault weapon which is a relic of any war in which the U.S. was involved, which is exhibited or carried in the parades of any military organization.

Proposed law provides that a person who possesses an assault weapon with an expired assault weapon license shall be fined not more than \$500 or imprisoned for not more than six months, or both.

Proposed law provides that a person who possesses an assault weapon which has not been registered shall be fined not more than \$2,000 or imprisoned with or without hard labor for not more than two years, or both.

(Adds R.S. 40:1821-1834)