

2018 Regular Session

HOUSE BILL NO. 836

BY REPRESENTATIVE EMERSON

WEAPONS/HANDGUNS: Provides relative to concealed carry on college campuses

1 AN ACT

2 To amend and reenact R.S. 40:1379.3(N)(11) and to enact R.S. 14:95.2(C)(9) and R.S.  
3 17:3129.9 and 3351.21, relative to carrying concealed handgun on school campuses;  
4 to provide relative to the prohibition on carrying a concealed handgun into any  
5 school, school campus, or school bus; to provide an exception for public  
6 postsecondary education institutions; to provide relative to the crime of carrying a  
7 firearm or dangerous weapon on school property, at school-sponsored functions, or  
8 in a firearm-free zone; to provide an exception for persons who have a valid  
9 concealed handgun permit and carry a concealed weapon on the campus of a public  
10 postsecondary education institution; to prohibit the Board of Regents, postsecondary  
11 educational management boards, and public postsecondary education institutions  
12 from regulating the carrying of concealed handguns on the campus of postsecondary  
13 education institutions by persons with valid concealed handgun permits; and to  
14 provide for related matters.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. R.S. 14:95.2(C)(9) is hereby enacted to read as follows:

17 §95.2. Carrying a firearm or dangerous weapon by a student or nonstudent on  
18 school property, at school-sponsored functions, or in a firearm-free zone

19 \* \* \*

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

21 \* \* \*

1           (9) A person who has a valid concealed handgun permit issued pursuant to  
2           the provisions of R.S. 40:1379.1 or 1379.3 who carries a concealed handgun on the  
3           campus, or in any building or facility on the campus, of a public postsecondary  
4           education institution in the state.

5   \*       \*       \*

6           Section 2. R.S. 17:3129.9 and 3351.21 are hereby enacted to read as follows:

7           §3129.9. Respecting the Second Amendment rights of students and visitors to public  
8           postsecondary education institutions

9           The Board of Regents shall not:

10           (1) Have the authority to enact a rule that prohibits a person permitted to  
11           carry a concealed handgun pursuant to R.S. 40:1379.1 or 1379.3 from possessing a  
12           concealed handgun on the campus, or in any building or facility on the campus, of  
13           a public postsecondary education institution.

14           (2) Permit any employee of a public postsecondary education institution to  
15           interfere with the carrying of a firearm by a person permitted to carry a concealed  
16           handgun pursuant to R.S. 40:1379.1 or 1379.3.

17   \*       \*       \*

18           §3351.21. Respecting the Second Amendment rights of students and visitors to  
19           public postsecondary education institutions

20           Any postsecondary educational management board, including those listed in  
21           R.S. 17:3215 through 3217.5, or public postsecondary education institution shall not:

22           (1) Have the authority to enact a rule that prohibits a person permitted to  
23           carry a concealed handgun pursuant to R.S. 40:1379.1 or 1379.3 from possessing a  
24           concealed handgun on the campus, or in any building or facility on the campus, of  
25           a public postsecondary education institution.

26           (2) Permit any employee of an institution to interfere with the carrying of a  
27           firearm by a person permitted to carry a concealed handgun pursuant to R.S.  
28           40:1379.1 or 1379.3.

1 Section 3. R.S. 40:1379.3(N)(11) is hereby amended and reenacted to read as  
2 follows:

3 §1379.3. Statewide permits for concealed handguns; application procedures;  
4 definitions

5 \* \* \*

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

9 \* \* \*

10 (11) Any school, school campus, or school bus as defined in R.S. 14:95.6,  
11 except for the school campus, or any building or facility on the campus, of a public  
12 postsecondary education institution in this state.

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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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HB 836 Original                                      2018 Regular Session                                      Emerson

**Abstract:** Authorizes a concealed handgun permit holder to carry a concealed handgun on the campus of a public postsecondary education institution and provides relative to authority of the Board of Regents and any postsecondary educational management board in this regard.

Present law (R.S. 40:1379.3) provides for the issuance of a concealed handgun permit for a person who meets certain eligibility and training requirements.

Present law provides that a concealed handgun permit does not authorize nor entitle the permit holder to carry a concealed handgun in certain places, including into a school, school campus, or a school bus.

Proposed law amends present law to provide that the prohibition on carrying a concealed handgun into any school, school campus, or school bus does not apply to the campus, or in any building or facility of the campus, of a public postsecondary education institution in this state.

Present law (R.S. 14:95.2) prohibits the carrying of firearms on school property and provides for certain exceptions to this prohibition.

Proposed law adds an exception to this offense for a person who has a valid concealed handgun permit issued pursuant to present law who carries a concealed handgun on the

campus, or in any building or facility on a campus, of a public postsecondary education institution in the state.

Present law provides for certain duties and responsibilities of the Board of Regents, postsecondary educational management boards, and public post secondary education institutions.

Proposed law adds to present law the following:

- (1) The Board of Regents shall not have the authority to enact a rule that prohibits a person permitted to carry a concealed handgun pursuant to present law from possessing a concealed handgun on the campus, or in any building or facility on the campus, of a public postsecondary education institution. Further, the Board of Regents shall not permit any employee of a public postsecondary education institution to interfere with the carrying of a firearm by a person permitted to carry a concealed handgun.
- (2) Any postsecondary educational management board or public postsecondary education institution shall not have the authority to enact a rule that prohibits a person permitted to carry a concealed handgun pursuant to present law from possessing a concealed handgun on the campus, or in any building or facility on the campus, of a public postsecondary education institution. Further, such entities shall not permit any employee of an institution to interfere with the carrying of a firearm by a person permitted to carry a concealed handgun.

(Amends R.S. 40:1379.3(N)(11); Adds R.S. 14:95.2(C)(9) and R.S. 17:3129.9 and 3351.21)