

HOUSE COMMITTEE AMENDMENTS

2018 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 411 by Senator White

1 AMENDMENT NO. 1

2 On page 1, line 3, after "paragraph of" delete the remainder of the line and insert "(B),
3 (B)(1), and (C),"

4 AMENDMENT NO. 2

5 On page 1, line 4, after "R.S. 14:95.1(A) and" delete the remainder of the line and insert
6 "(C), and R.S. 28:57(A), and to enact R.S. 13:753(F) and R.S. 28:57(J),"

7 AMENDMENT NO. 3

8 On page 1, line 10, after "to provide" delete "a" and insert "relative to the"

9 AMENDMENT NO. 4

10 On page 2, delete lines 23 and 24 in their entirety, and insert "of (B), (B)(1), and (C) are
11 hereby amended and reenacted and R.S. 13:753(F) is hereby enacted to read as follows:"

12 AMENDMENT NO. 5

13 On page 3, delete lines 19 through 29 and insert the following:

14 **"F. A person who has been adjudicated a mental defective or**
15 **committed to a mental institution and is therefore, pursuant to federal**
16 **law, prohibited from receiving or possessing a firearm or ammunition**
17 **or, pursuant to state law, is ineligible to possess a firearm or obtain a**
18 **concealed handgun permit, may petition the court for restoration of**
19 **firearm rights pursuant to R.S. 28:57."**

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21 AMENDMENT NO. 6

22 Delete pages 4 and 5 in their entirety

23 AMENDMENT NO. 7

24 On page 6, delete lines 1 through 11 in their entirety

25 AMENDMENT NO. 8

26 On page 6, delete lines 16 and 17 in their entirety and insert the following:

27 **"A. It is unlawful for any person who has been convicted of, or has**
28 **been found not guilty by reason of insanity for,** a crime of violence as
29 defined in R.S. 14:2(B) which is a"

30 AMENDMENT NO. 9

31 On page 7, delete lines 3 through 5 in their entirety and insert the following:

32 **"carrying concealed weapons by persons who have been convicted of, or**
33 **who have been found not guilty by reason of insanity for,** certain felonies

1 shall not apply to any person who has not been convicted of, **or who has not**
2 **been found not guilty by reason of insanity for**, any felony for a period"

3 AMENDMENT NO. 10

4 On page 7, after line 9, add the following:

5 "Section 4. R.S. 28:57(A) is hereby amended and reenacted and R.S.
6 28:57(J) is hereby enacted to read as follows:

7 §57. Petition for restoration of right to possess a firearm and to apply for
8 permit for concealed handgun; procedures

9 **A.(1) Except as provided in Paragraph (2) of this Subsection, a**
10 **A** person who is prohibited from possessing a firearm or is ineligible to be
11 issued a concealed handgun permit pursuant to the provisions of 18 U.S.C.
12 922(d)(4) and (g)(4) or of R.S. 40:1379.3(C)(13) because of an adjudication
13 or commitment that occurred under the laws of this state may, upon release
14 from involuntary commitment, file a civil petition seeking a judgment
15 ordering the removal of that prohibition.

16 **(2) A person found not guilty by reason of insanity of any felony**
17 **may file a civil petition seeking a judgment ordering the removal of the**
18 **prohibition described in Paragraph (1) of this Subsection provided that**
19 **at least ten years have passed since the person was discharged from**
20 **probation or custody, or discharged from a mental institution, by a court**
21 **of competent jurisdiction.**

22 * * *

23 **J. This provisions of this Section shall not apply to:**

24 **(1) A person on conditional release or conditional discharge**
25 **pursuant to Code of Criminal Procedure Article 657.1 or 658.**

26 **(2) A person who has been convicted or found not guilty by**
27 **reason of insanity of any felony enumerated in R.S. 14:95.1 in the ten**
28 **years prior to the filing of a petition under this Section."**