

2024 Regular Session

HOUSE BILL NO. 604

BY REPRESENTATIVE GREEN

WEAPONS: Provides relative to the carrying of weapons by a convicted felon

1 AN ACT

2 To amend and reenact R.S. 14:95(C) and R.S. 15:572(B)(1) and (3) and (D), relative to the
3 carrying of weapons by a convicted felon; to provide for carrying of a concealed
4 weapon by a convicted felon; to provide relative to a gubernatorial pardon; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 14:95.1(C) is hereby amended and reenacted to read as follows:

8 §95.1. Possession of firearm or carrying concealed weapon by a person convicted
9 of certain felonies

10 * * *

11 C. The provisions of this Section prohibiting the possession of firearms and
12 carrying concealed weapons by persons who have been convicted of, or who have
13 been found not guilty by reason of insanity for, certain felonies shall not apply to any
14 person who has not been convicted of, or who has not been found not guilty by
15 reason of insanity for, any felony ~~for a period of ten years~~ from the date of
16 completion of sentence, probation, parole, suspension of sentence, or discharge from
17 a mental institution by a court of competent jurisdiction.

18 * * *

1 Section 2. R.S. 15:572(B)(1) and (3) and (D) are hereby amended and reenacted as
2 follows:

3 §572. Powers of governor to grant reprieves and pardons; automatic pardon for first
4 offender; payment of court costs required

5 * * *

6 B.(1) A first offender never previously convicted of a felony or a person
7 convicted of violating the provisions of R.S. 14:95.1 shall be pardoned automatically
8 upon completion of his sentence without a recommendation of the Board of Pardons
9 and without action by the governor.

10 * * *

11 (3) Notwithstanding any provision of law to the contrary, no pardon shall be
12 issued to a first offender or a person convicted of violating the provisions of R.S.
13 14:95.1 unless that person has paid all of the court costs which were imposed in
14 connection with the conviction of the crime for which the pardon is to be issued.

15 * * *

16 D. On the day that an individual completes his sentence the ~~Division of~~
17 ~~Probation and Parole of the Department of Corrections~~ division of probation and
18 parole of the Department of Public Safety and Corrections, after satisfying itself that
19 (1) the individual is a first offender as defined herein or a person convicted of
20 violating the provisions of R.S. 14:95.1 and (2) the individual has completed his
21 sentence shall issue a certificate recognizing and proclaiming that the petitioner is
22 fully pardoned for the offense, and that he has all rights of citizenship and franchise,
23 and shall transmit a copy of the certificate to the individual and to the clerk of court
24 in and for the parish where the conviction occurred. This copy shall be filed in the
25 record of the proceedings in which the conviction was obtained. However, once an
26 automatic pardon is granted under the provisions of this Section, the individual who
27 received such pardon shall not be entitled to receive another automatic pardon.

28 * * *

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)]

HB 604 Original

2024 Regular Session

Green

Abstract: Removes the prohibition of a convicted felon from carrying a firearm for a period of 10 years from completion of sentence.

Present law (R.S. 14:95.1(C)) provides that a convicted felon may not possess or conceal carry a firearm for a period of 10 years from the date of completion of sentence or discharge from a mental institution by a court of competent jurisdiction.

Proposed law removes the 10 year requirement.

Present law (R.S. 15:572(B)(1)) provides that a first offender never previously convicted of a felony shall be pardoned automatically upon completion of his sentence without a recommendation of the Board of Pardons and without action by the governor.

Proposed law retains present law but expands it to include a person convicted of violating the provisions of R.S. 14:95.1.

Present law (R.S. 15:572(B)(3)) provides that no pardon shall be issued to a first offender unless that person has paid all of the court costs which were imposed in connection with the conviction of the crime for which the pardon is to be issued.

Proposed law retains present law but expands it to include a person convicted of violating the provisions of R.S. 14:95.1.

Present law (R.S. 15:572(D)) provides that upon completion of his sentence, the division of probation and parole of the DPS&C, after satisfying that (1) the individual is a first offender and (2) the individual has completed his sentence shall issue a certificate proclaiming the petitioner is fully pardoned.

Proposed law retains present law but provides that the division of probation and parole of the DPS&C must satisfy that (1) the individual is a first offender or a person convicted of violating the provisions of R.S. 14:95.1 and (2) the individual has completed his sentence.

(Amends R.S. 14:95.1 and R.S.15:572(B)(1), (3), and (D))