

Regular Session, 2013

HOUSE BILL NO. 48

BY REPRESENTATIVE HENRY BURNS

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

WEAPONS/FIREARMS: Provides relative to the exemption for law enforcement officers regarding carrying weapons in alcoholic beverage outlets

1 AN ACT

2 To amend and reenact R.S. 14:95.5(B), relative to the possession of a firearm on the
3 premises of an alcoholic beverage outlet; to provide for the definition of alcoholic
4 beverage outlet; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:95.5(B) is hereby amended and reenacted to read as follows:

7 §95.5. Possession of firearm on premises of alcoholic beverage outlet

8 * * *

9 B. "Alcoholic beverage outlet" as used ~~herein~~ in this Section means any
10 commercial establishment in which alcoholic beverages of either high or low
11 alcoholic content are sold in individual servings for consumption on the premises,
12 and which has been issued a Class A-General retail permit, as defined in Part II of
13 Chapter 1 or Part II of Chapter 2 of Title 26 of the Louisiana Revised Statutes of
14 1950 ~~whether or not such sales are a primary or incidental purpose of the business~~
15 ~~of the establishment.~~

16 * * *

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)]

Henry Burns

HB No. 48

Abstract: Redefines "alcoholic beverage outlet" for purposes of the crime of possession of a firearm on the premises of an alcoholic beverage outlet.

Present law prohibits any person from possessing a firearm while on the premises of an alcoholic beverage outlet and provides for criminal penalties including a maximum fine of \$500, a term of imprisonment for not more than six months, or both.

Present law contains exceptions for the owner or lessee of the establishment, an employee of the owner or lessee, or a law enforcement officer acting in the performance of his official duties.

Proposed law retains these provisions of present law.

Present law defines an "alcoholic beverage outlet" as any commercial establishment in which alcoholic beverages of either high or low alcoholic content are sold in individual servings for consumption on the premises, whether or not such sales are a primary or incidental purpose of the business of the establishment.

Proposed law changes present law to define "alcoholic beverage outlet" as any commercial establishment in which alcoholic beverages of either high or low alcoholic content are sold in individual servings for consumption on the premises and which has been issued a Class A-General retail permit.

(Amends R.S. 14:95.5(B))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Deleted proposed law provisions regarding law enforcement officers.
2. Added definition of "alcoholic beverage outlet".