

2016 Regular Session

SENATE BILL NO. 153

BY SENATOR CLAITOR

WEAPONS. Removes certain provisions regarding prosecution of the possession of a firearm with obliterated, removed, changed or altered number or mark which were declared unconstitutional. (8/1/16)

1 AN ACT

2 To amend and reenact R.S. 40:1788(B), relative to firearms; to provide regarding an
3 identification number or other mark on a firearm; to delete provisions relative to a
4 presumption of guilt against a defendant in possession of a firearm with an
5 identification number or mark that has been removed or altered; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:1788(B) is hereby amended and reenacted to read as follows:

9 §1788. Identification with number or other mark; obliteration or alteration of
10 number or mark

11 * * *

12 B. No one shall obliterate, remove, change, or alter this number or mark.

13 ~~Whenever, in a trial for a violation of this Sub-section, the defendant is shown to~~
14 ~~have or to have had possession of any firearm upon which the number or mark was~~
15 ~~obliterated, removed, changed, or altered, that possession is sufficient evidence to~~
16 ~~authorize conviction unless the defendant explains it to the satisfaction of the court.~~

