

Regular Session, 2014

HOUSE BILL NO. 1189

BY REPRESENTATIVE NORTON

WEAPONS/FIREARMS: Creates the crime of unlawful exposure of unsafe firearms to children

1 AN ACT

2 To enact R.S. 14:91.10, relative to offenses affecting general morality; to create the crime  
3 of unlawful exposure of unsafe firearms to children; to provide for criminal  
4 penalties; to provide for definitions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:91.10 is hereby enacted to read as follows:

7 §91.10. Unlawful exposure of unsafe firearms to children

8 A. Unlawful exposure of unsafe firearms to children is the intentional or  
9 criminally negligent exposure by anyone who is seventeen years of age or older to  
10 any child under the age of ten years to a firearm which is not secured in a locked  
11 container or equipped with a tamper-resistant trigger lock, cable lock, mechanical  
12 lock, or other safety device that is properly engaged so as to render the firearm  
13 inoperable.

14 B.(1) Upon a first conviction, whoever violates the provisions of this Section  
15 shall be fined not more than three hundred dollars.

16 (2) Upon a second or subsequent conviction, whoever violates the provisions  
17 of this Section shall be fined not more than five hundred dollars, imprisoned for not  
18 more than six months, or both.

19 C. The provisions of this Section shall not apply when a child under the age  
20 of ten years is:

- 1                   (1) Attending a hunter's safety course or a firearms safety course.
- 2                   (2) Engaging in practice in the use of a firearm or target shooting at an
- 3                   established range.
- 4                   (3) Hunting or trapping pursuant to a valid license issued to him, if
- 5                   applicable, pursuant to the laws of this state.
- 6                   D. For the purposes of this Section, "firearm" means any pistol, revolver,
- 7                   rifle, shotgun, machine gun, submachine gun, black powder weapon, or assault rifle
- 8                   which is designed to fire or is capable of firing fixed cartridge ammunition or from
- 9                   which a shot or projectile is discharged by an explosive.

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)]

Norton

HB No. 1189

**Abstract:** Creates the crime of unlawful exposure of unsafe firearms to children and provides criminal penalties.

Proposed law creates the crime of unlawful exposure of unsafe firearms to children.

Proposed law defines the crime as the intentional or criminally negligent exposure by anyone who is 17 years of age or older to any child under the age of 10 years to a firearm which is not secured in a locked container or equipped with a tamper-resistant trigger lock, cable lock, mechanical lock, or other safety device that is properly engaged so as to render the firearm inoperable.

Proposed law provides penalties for a first violation of a fine of not more than \$300. Provides penalties for a second or subsequent violation of a fine of not more than \$500, imprisonment for not more than six months, or both.

(Adds R.S. 14:91.10)