

FACT SHEET**CITY OF SHREVEPORT, LOUISIANA****TITLE**

An ordinance to add a new Section 50-135.4 to Chapter 50, Article II, Division 5 of the City of Shreveport, Louisiana, Code of Ordinances relative to criminal storage of firearms and to otherwise provide with respect thereto.

DATE

April 13, 2021

ORIGINATING DEPARTMENT

City Council

COUNCIL DISTRICT

City-wide

SPONSORS

Councilman John Nickelson

PURPOSE

This ordinance adds a new Section 50-135.4 to the Code of Ordinances.

BACKGROUND INFORMATION

This ordinance makes it a misdemeanor offense to leave a handgun in an unattended vehicle, unless the handgun is locked in the vehicle's trunk, glove compartment, or locked in a container that is permanently affixed to the vehicle's interior and not in plain view.

TIMETABLE

Introduction: April 13, 2021

Final Passage: April 27, 2021

ATTACHMENTS

None

SPECIAL PROCEDURAL REQUIREMENTS

NA

FINANCES

NA

SOURCE OF FUNDS

NA

ALTERNATIVES

(1) Adopt the ordinance as submitted, or (2) Amend the ordinance, or (3) Reject the ordinance.

RECOMMENDATION

Councilman John Nickelson recommends that the City Council adopt this ordinance.

FACT SHEET PREPARED BY: Danielle A. Farr Ewing,
Clerk of Council

ORDINANCE NO. _____ OF 2021

AN ORDINANCE TO ADD A NEW SECTION 50-135.4 TO CHAPTER 50, ARTICLE II, DIVISION 5 OF THE CITY OF SHREVEPORT, LOUISIANA, CODE OF ORDINANCES RELATIVE TO CRIMINAL STORAGE OF FIREARMS AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY COUNCILMEMBER: JOHN NICKELSON

BE IT ORDAINED by the City Council of the City of Shreveport, Louisiana in due, legal, and regular session convened, that a new Section 50-135.4 be hereby added to Chapter 50, Article II, Division 5 of the City of Shreveport, Louisiana Code of Ordinances to read as follows:

Sec. 50-132.4. – Criminal storage of firearms.

- (a) Except as otherwise provided in subdivision (b), a person shall, when leaving a handgun in an unattended vehicle, lock the handgun in the vehicle's trunk, lock the handgun in the vehicle's glove compartment, or lock the handgun in a locked container that is permanently affixed to the vehicle's interior and not in plain view.
- (b) A violation of subdivision (a) shall be a misdemeanor offense punishable by a fine not exceeding one thousand dollars (\$1,000).
- (c) (1) As used in this section, the following definitions shall apply:
 - a. "Locked container" means a secure container that is fully enclosed and locked by a padlock, keylock, combination lock, or similar locking device.
 - b. "Peace officer" means a sworn officer who is authorized to carry a firearm in the course and scope of that officer's duties, while that officer is on duty or off duty.
 - c. "Trunk" means the fully enclosed and locked main storage or luggage compartment of a vehicle that is not accessible from the passenger compartment. A trunk does not include the rear of a hatchback, station wagon, or sport utility vehicle, any compartment which has a window, or a toolbox or utility box attached to the bed of a pickup truck.
- (2) For purposes of this section, a vehicle is unattended when a person who is lawfully carrying or transporting a handgun in a vehicle is not within close enough proximity to the vehicle to reasonably prevent unauthorized access to the vehicle or its contents.

- (3) For purposes of this section, plain view includes any area of the vehicle that is visible by peering through the windows of the vehicle, including windows that are tinted, with or without illumination.
- (d) This section does not apply to a peace officer during circumstances requiring immediate aid or action that are within the course of his or her official duties.

BE IT FURTHER ORDAINED that if any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given affect without the invalid provisions, items or applications and to this end the provisions of this Ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all Ordinances or parts thereof in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Ordinance shall become effective in accordance with the provisions of [Shreveport City Charter Section 4.23](#).

THUS DONE AND ORDAINED by the City Council of the City of Shreveport, Louisiana.

APPROVED AS TO LEGAL FORM:

City Attorney's Office