

Other Sites for Research & Discussion of OC

Louisiana Legislature webpage

Look up Revised Statutes and other laws
<http://www.legis.state.la.us/>

Office of the La Attorney General

Look up AG opinions here
<http://www.ag.state.la.us/index.aspx>

Municode

Database of local municipal codes
<http://www.municode.com/>

Louisiana Carry

A Louisiana based web forum with information for those thinking about Open Carry of firearms.

<http://louisianacarry.org/oc/>

Open Carry .org

A website and discussion forum dedicated to promoting the lawful Open Carrying of firearms.

<http://www.opencarry.org>

USA Carry .com

A discussion forum with an Open Carry section.

<http://www.usacarry.com>

Defensive Carry .com

A discussion forum with an Open Carry section.

<http://www.defensivecarry.com>

Bayou Shooter

A Louisiana Gun Discussion Forum.
<http://www.bayoushooter.com/forums/index.php>

LOCAL Mission Statement

The mission of the Louisiana Open Carry Awareness League (LOCAL) is to support, defend and promote the fact that the open carry of firearms is a legal choice in Louisiana. We seek to accomplish this goal by educating the public about the legality of open carry in Louisiana, through the existence of our website, by producing and distributing literature, organizing open carry awareness campaigns & events, and by actively petitioning our representatives and legislators.

Additionally, we seek to be a conduit for personal involvement by interested citizens and strongly promote and encourage citizens to become active in their communities, as well as in state-level politics. Another tool to help accomplish this mission is our web forum, within which citizens can discuss all aspects of their right to open carry.

Learn more about LOCAL at-

www.laopencarry.org

LOCAL

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Open Carry is Legal in Louisiana



“The right of each citizen to keep and bear arms shall not be abridged,...”

Article 1, Section 11,
La State Constitution.

Open Carry is Legal in Louisiana.

The LA State Constitution - Article I, Section 11 - "The right of each citizen to keep and bear arms shall not be abridged, but this provision shall not prevent the passage of laws to prohibit the carrying of weapons concealed on the person."

State v. Fluker 311 So. 2d 863 - A 1975 State Supreme Court case regarding the determination of concealment of a firearm in LA

State v Ferrand 664 So.2d 396 -"As the officer acknowledged, the public possession of an openly displayed handgun is not a crime in Louisiana and does not alone provide probable cause for an arrest."

State v Snoddy 389 So.2d 377 -"The acts of defendant patrolling his property at night with a shotgun in a secluded area certainly did not constitute criminal activity." Cited in State v Ferrand.

Attorney General Opinion No. 78-795 - The AG replies to two questions: "1. Is it legal to carry an exposed handgun?" and "2. Do Parishes and/or Municipalities have the power to regulate the carrying of exposed handguns?"

Attorney General Opinion No. 79-1212 - The AG replies to a Ms. Irene W. Pressley of the Westlake, LA Police Department, answering her question of "1. Are there any laws prescribing when it is legal to carry a gun?"

Attorney General Opinion No. 78-1288 - The AG, citing State vs. Fluker, says "that a weapon is not concealed, even if not in full, open view, if it is sufficiently exposed to reveal its identity."

Attorney General Opinion No. 97-485 - The AG says, "There is no Louisiana law which in general prohibits carrying a handgun if that handgun is not concealed."

All of these affirm our RIGHT to Open Carry in Louisiana. However, there are some caveats - please see the following:

RS 14:95.2 Concerning Carrying of a Firearm in School Zones and "Firearm-Free Zones"

RS 14.95.4 Concerning Consent to search for a firearm while at an Alcoholic Beverage Outlet

RS 14.95.5 Concerning Carrying of a Firearm in an Alcoholic Beverage Outlet

RS 40:1796 Concerning Preemption of State Law - Basically this says laws passed before July 15th, 1985 are valid. You have to research this for yourself in your area!

Open Carry Frequently Asked Questions

Is it legal to openly carry weapons in Louisiana?

Yes, as a general rule- however, certain places and people are restricted by law.

Who is prohibited from openly carrying weapons?

Anyone who is prohibited from owning weapons. In general, this means drug addicts, felons, those convicted of a misdemeanor crime of domestic violence, and those under eighteen years of age. Louisiana does have some laws prohibiting possession of firearms, but Federal laws are more strict, so if you are OK by Federal law, you are likely OK by LA law.

Do I have to be a Louisiana resident to open carry in Louisiana?

No. Visitors to our State may carry just like residents.

Do I need a permit to Open Carry like I do to Conceal Carry?

There is no permit required to Open Carry in Louisiana.

Do I give up my right to open carry if I get a concealed handgun permit?

NO! This is misinformation that has spread around the State for some time now. Supposedly, certain individuals working for the State Police at one time were informing concealed handgun instructors to inform those who applied for a permit that, if approved, they would no longer be allowed to open carry. There is no basis for this in law.

Can I switch between open carry and concealed carry?

As long as you have your concealed carry permit, you can chose to do either one, as long as all laws/restrictions are followed. Having a concealed carry license does NOT take away your right to openly carry.

Can businesses prohibit me from open carrying?

Yes. A private property owner has the right to prohibit weapons on their property.

Can I open carry in my vehicle?

Yes.

Can my handgun be loaded?

Yes. You can carry your gun loaded and ready to use.

Can I open carry on private property?

Yes, provided you are not on someone else's property who does not want you to.

More Open Carry Frequently Asked Questions

Do local law enforcement officers know that open carry is legal?

Some do, some don't- just like non-Law Enforcement Officers. Do not assume that someone who has been trained to enforce the law somehow knows everything there is to know about the law.

Can I be charged with disturbing the peace for open carry?

Not legally. **RS 14:103** is the LA statute regarding disturbing of the peace. OC does not meet the standards for Disturbing the Peace.

Can I be charged with brandishing for open carry?

Again, not legally. Brandishing, by definition, requires more than an item to simply be visible. Refer to **RS 40:1382** for more information about this subject.

Has anyone been arrested for open carry?

Yes. Carrying weapons always carries with it an increased risk of potential legal complications. However, open carry, in and of itself, is not illegal. Be aware that you could be at a significantly increased risk for being falsely arrested for openly carrying a weapon in some areas.

What holster method should I use for open carry?

That is a personal preference. However be advised that if you do not have a concealed carry permit you are at an increased risk of a criminal charge if your carry method can be construed as having been intended to conceal or obscure your weapon. It is often suggested that a quality retention style holster be used whenever possible when Open Carrying.

Can I open carry in other States?

Yes, open carry is allowed by law in many States. Louisiana is one of more than 40 States where citizens may Open Carry handguns. Laws vary so research each area carefully.

DISCLAIMER: AS ALWAYS, RESEARCH EVERYTHING FOR YOURSELF. Nothing here should be considered, nor is it intended to be considered as legal advice.