

## QUICK REFERENCE GUIDE TO FIREARMS PROHIBITIONS – Civil Orders of Protection

### WHEN DO STATE AND/OR FEDERAL FIREARMS PROHIBITIONS APPLY?

Law	Relationship Required	Notice and Opportunity for Hearing	Finding	Behavior prohibited	Duration of prohibition	Firearm Transfer Order	Type of firearm	
<p>La. R.S. 46:2131 et seq. <b>Domestic Abuse Assistance Act</b></p> <p>La. R.S. 46:2151 <b>Protection from Dating Violence Act</b></p>	<p><b>Firearms prohibition under:</b></p> <p><b>STATE</b> La. R.S. 46:2136.3 <b>Protective Order</b></p>	<p><b>LPOR 3, 3-R Box A or Box B (any relationships listed)</b> current or former spouse; current or former intimate cohabitant; child, stepchild, or foster child; child of defendant's current or former intimate partner; parent, stepparent, foster parent; grandparent; grandchild, protected person and defendant have a child(ren) in common, current or former dating partner</p>	<p><b>Protective Order <u>only</u></b></p>	<p><b>LPOR 3, 3-R - Box E</b> finding of credible threat</p>	N/A	<p><b>length of time order is in effect</b> – up to 18 months; but some relief <b>may be non-expiring</b></p>	<p>Yes; and suspension of concealed firearm permit (see La.C.Cr. P. Art. 1001 et seq.)</p>	<p>any pistol, revolver, rifle, shotgun, machine gun, submachine gun, black powder weapon, or assault rifle which is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive</p>
<p>La. Children's Code Art. 1564 et seq. <b>Domestic Abuse Assistance Act</b></p>	<p><b>FEDERAL</b> 18 U.S.C. 922(g)(8)</p>	<p><b>LPOR 3, 3-R (Protective Order) - Box A (any relationship listed)</b> current or former spouse; current or former intimate cohabitant; child, stepchild, or foster child; child of defendant's current or former intimate partner; protected person and defendant have a child(ren) in common</p>	<p><b>LPOR 3, 3-R - Box D</b> actual notice &amp; opportunity to participate in hearing provided to defendant</p>	<p><b>LPOR 3, 3-R - Box E</b> finding of credible threat <b>OR</b> certain behavior prohibited (see next column)</p>	<p><b>LPOR 3, 3-R - item #1</b> order prohibits use, attempted use or threatened use of physical force</p>	<p><b>length of time order is in effect; some relief may be non-expiring</b></p>	N/A	<p>any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any destructive device; does not include an antique firearm</p>

Law La. Civil orders of protection	Relationship Required	Notice and Opportunity for Hearing	Finding	Behavior prohibited	Duration of prohibition	Firearm Transfer Order	Type of firearms	
<p>La. R.S. 9:361 et seq. <b>Post Separation Family Violence Relief Act (PSFVRA)</b></p> <p>La. R.S. 9:372 <b>Spousal Injunction against abuse (SIAA)</b> (filed in conjunction with a divorce)</p>	<p><b>Firearms prohibition under:</b></p> <p><b>STATE</b> La. R.S. 46:2136.3 <b>Permanent Injunction</b></p>	<p><b>PSFVRA - LPOR 9, 9-R - Box A</b> spouse; former spouse; child; protected person and defendant have a child in common</p> <p><b>SIAA - LPOR 9, 9-R - Box A</b> spouse; child; stepchild</p>	<p><b>PSFVRA - LPOR 9, 9-R - Permanent injunction only</b></p> <p><b>SIAA - LPOR 9, 9-R - Permanent injunction only</b></p>	<p><b>PSFVRA - LPOR 9, 9-R - Box E</b> finding of credible threat</p> <p><b>SIAA - LPOR 9, 9-R - Box E</b> finding of credible threat</p>	<p>N/A</p> <p>N/A</p>	<p>permanent</p> <p>permanent</p>	<p>Yes; and suspension of concealed firearm permit (see La.C.Cr.P. Art. 1001 et seq.)</p> <p>Yes; and suspension of concealed firearm permit (see La.C.Cr.P. Art. 1001 et seq.)</p>	<p>any pistol, revolver, rifle, shotgun, machine gun, submachine gun, black powder weapon, or assault rifle which is designed to fire or is capable of firing fixed cartridge ammunition or from which a shot or projectile is discharged by an explosive</p>
	<p><b>FEDERAL</b> 18 U.S.C. 922(g)(8)</p>	<p><b>PSFVRA - LPOR 9, 9-R - Box A</b> spouse; former spouse; child; protected person and defendant have a child(ren) in common</p> <p><b>SIAA - LPOR 9, 9-R - Box A</b> spouse; child; stepchild</p>	<p><b>PSFVRA - LPOR 9, 9-R - Box C</b> actual notice and opportunity to participate provided to defendant</p> <p><b>SIAA - LPOR 9, 9-R - Box C</b> actual notice and opportunity to participate provided to defendant</p>	<p><b>PSFVRA - LPOR 9, 9-R - Box D or E</b> finding of credible threat <b>OR</b> certain behavior prohibited (see next column)</p> <p><b>SIAA - LPOR 9, 9-R - Box D or E</b> finding of credible threat <b>OR</b> certain behavior prohibited (see next column)</p>	<p><b>PSFVRA - LPOR 9, 9-R - item #1</b> order prohibits use, attempted use or threatened use of physical force</p> <p><b>SIAA - LPOR 9, 9-R - item #1</b> order prohibits use, attempted use or threatened use of physical force</p>	<p>permanent</p> <p>permanent</p>	<p>N/A</p> <p>N/A</p>	<p>any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any destructive device. Does not include an antique firearm</p>