

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

HOUSE BILL 1132
RATIFIED BILL

AN ACT TO AMEND THE LAW CONCERNING RENEWAL OF A CONCEALED HANDGUN PERMIT, AND TO PROVIDE THAT A FORMER SWORN LAW ENFORCEMENT OFFICER WHO HAS FIFTEEN OR MORE AGGREGATE YEARS OF PART-TIME OR AUXILIARY LAW ENFORCEMENT SERVICE MAY BE EXEMPT FROM THE FIREARMS SAFETY AND TRAINING COURSE REQUIREMENT FOR A CONCEALED HANDGUN PERMIT IF HE OR SHE WAS A QUALIFIED SWORN LAW ENFORCEMENT OFFICER IMMEDIATELY BEFORE RETIRING AND HAS BEEN RETIRED AS A SWORN LAW ENFORCEMENT OFFICER TWO YEARS OR LESS FROM THE DATE OF THE PERMIT APPLICATION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-415.16 reads as rewritten:

"§ 14-415.16. Renewal of permit.

(a) At least 45 days prior to the expiration date of a permit, the sheriff of the county where the permit was issued shall send a written notice to the permittee explaining that the permit is about to expire and including information about the requirements for renewal of the permit. The notice shall be sent by first class mail to the last known address of the permittee. Failure to receive a renewal notice shall not relieve a permittee of requirements imposed in this section for renewal of the permit.

(b) The holder of a permit shall apply to renew the permit ~~at least 30 days within the 90-day period~~ prior to its expiration date by filing with the sheriff of the county in which the person resides a renewal form provided by the sheriff's office, a notarized affidavit stating that the permittee remains qualified under the criteria provided in this Article, a newly administered full set of the permittee's fingerprints, and a renewal fee.

(c) Upon receipt of the completed renewal application, including the permittee's fingerprints, and the appropriate payment of fees, the sheriff shall determine if the permittee remains qualified to hold a permit in accordance with the provisions of G.S. 14-415.12. The permittee's criminal history shall be updated, and the sheriff may waive the requirement of taking another firearms safety and training course. If the permittee applies for a renewal of the permit ~~within 30 days of the 90-day period~~ prior to its expiration date and if the permittee remains qualified to have a permit under G.S. 14-415.12, the sheriff shall renew the permit. The permit of a permittee who complies with this section shall remain valid beyond the expiration date of the permit until the permittee either receives a renewal permit or is denied a renewal permit by the sheriff.

(d) No fingerprints shall be required for a renewal permit if the applicant's fingerprints were submitted to the State Bureau of Investigation after June 30, 2001, on the Automated Fingerprint Information System (AFIS) as prescribed by the State Bureau of Investigation.

(e) If the permittee does not apply to renew the permit prior to its expiration date, but does apply to renew the permit within 60 days after the permit expires, the sheriff may waive the requirement of taking another firearms safety and training course. This subsection does not extend the expiration date of the permit."

SECTION 2. G.S. 14-415.10(4) reads as rewritten:

"(4) Qualified former sworn law enforcement officer. – An individual who retired from service as a law enforcement officer with a local, State, campus police, or company police agency in North Carolina, other than for reasons of mental disability, who has been retired as a sworn law enforcement



officer two years or less from the date of the permit application, and who satisfies all of the following:

- a. Immediately before retirement, the individual was a qualified law enforcement officer with a local, State, or company police agency in North Carolina.
- b. The individual has a nonforfeitable right to benefits under the retirement plan of the local, State, or company police agency as a law enforcement ~~officer-officer~~; or has 20 or more aggregate years of law enforcement service and has retired from a company police agency that does not have a retirement ~~plan-plan~~; or has 20 or more aggregate years of part-time or auxiliary law enforcement service.
- c. The individual is not prohibited by State or federal law from receiving a firearm."

SECTION 3. This act becomes effective January 1, 2010 and applies to permit applications and renewal applications submitted on or after that date.

In the General Assembly read three times and ratified this the 7th day of July, 2009.

Walter H. Dalton
President of the Senate

Joe Hackney
Speaker of the House of Representatives

Beverly E. Perdue
Governor

Approved _____m. this _____ day of _____, 2009