

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 859  
Committee Substitute Favorable 5/7/09  
Senate Judiciary II Committee Substitute Adopted 7/1/10

Short Title: Amend Concealed Weapon & Handgun Permit Laws.

(Public)

Sponsors:

Referred to:

March 30, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO EXEMPT CERTAIN RETIRED PROBATION AND PAROLE CERTIFIED  
3 OFFICERS FROM THE FIREARM SAFETY AND TRAINING COURSE  
4 REQUIREMENT FOR PURPOSES OF THE CONCEALED HANDGUN PERMIT AND  
5 TO PROVIDE THAT THE PROHIBITION AGAINST CARRYING A CONCEALED  
6 WEAPON DOES NOT APPLY TO STATE PROBATION AND PAROLE CERTIFIED  
7 OFFICERS WHEN THEY ARE OFF-DUTY.

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 14-415.10 is amended by adding a new subdivision to read:

10 "(4b) Qualified retired probation or parole certified officer. – An individual who  
11 retired from service as a State probation or parole certified officer, other than  
12 for reasons of mental disability, who has been retired as a probation or  
13 parole certified officer two years or less from the date of the permit  
14 application and who meets all of the following criteria:

- 15 a. Immediately before retirement, the individual met firearms training  
16 standards of the Department of Correction and was authorized by the  
17 Department of Correction to carry a handgun in the course of duty.  
18 b. The individual retired in good standing and was never a subject of a  
19 disciplinary action by the Department of Correction that would have  
20 prevented the individual from carrying a handgun.  
21 c. The individual has a vested right to benefits under the Teachers' and  
22 State Employees' Retirement System of North Carolina established  
23 under Article 1 of Chapter 135 of the General Statutes.  
24 d. The individual is not prohibited by State or federal law from  
25 receiving a firearm."

26 **SECTION 2.** G.S. 14-415.12A(a) reads as rewritten:

27 "(a) A person who is a qualified sworn law enforcement ~~officer~~ ~~or officer~~, a qualified  
28 former sworn law enforcement ~~officer~~ ~~officer~~, or a qualified retired probation or parole certified  
29 officer is deemed to have satisfied the requirement under G.S. 14-415.12(a)(4) that an applicant  
30 successfully complete an approved firearms safety and training course."

31 **SECTION 3.** G.S. 14-269(b) is amended by adding a new subdivision to read:

32 "(6) State probation or parole certified officers, when off-duty, provided that an  
33 officer does not carry a concealed weapon while consuming alcohol or an  
34 unlawful controlled substance or while alcohol or an unlawful controlled  
35 substance remains in the officer's body."



1           **SECTION 4.** This act becomes effective December 1, 2010. Sections 1 and 2 of  
2 this act apply to probation and parole officers who retired before, on, or after December 1,  
3 2010.