

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 1148

Short Title: Gun Rights Amendment. (Public)

Sponsors: Representatives Pittman, Speciale, Brody, and Collins (Primary Sponsors).  
*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Rules, Calendar, and Operations of the House

June 13, 2016

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO PROTECT A  
3 PERSON'S RIGHT TO CARRY A CONCEALED WEAPON.

4 The General Assembly of North Carolina enacts:

5  
6 **PART I. CONSTITUTIONAL AMENDMENT**

7 **SECTION 1.(a)** Section 30 of Article I of the North Carolina Constitution reads as  
8 rewritten:

9 "**Sec. 30. Militia and the right to bear arms.**

10 A well regulated militia being necessary to the security of a free State, the right of the people  
11 to keep and bear arms shall not be infringed; and, as standing armies in time of peace are  
12 dangerous to liberty, they shall not be maintained, and the military shall be kept under strict  
13 subordination to, and governed by, the civil power. ~~Nothing herein shall justify the practice of~~  
14 ~~carrying concealed weapons, or prevent the General Assembly from enacting penal statutes~~  
15 ~~against that practice."~~

16 **SECTION 1.(b)** The amendment set out in subsection (a) of this section shall be  
17 submitted to the qualified voters of the State at the general election in November 2016, which  
18 election shall be conducted under the laws then governing elections in the State. Ballots, voting  
19 systems, or both may be used in accordance with Chapter 163 of the General Statutes. The  
20 question to be used in the voting systems and ballots shall be:

21 "[ ] FOR [ ] AGAINST

22 A constitutional amendment, to become effective December 1, 2016, to repeal the  
23 provision which provides that the General Assembly may prohibit the practice of carrying  
24 concealed weapons."

25  
26 **PART II. REPEAL PROHIBITION ON CARRYING CONCEALED**  
27 **WEAPONS/CONFORMING CHANGES**

28 **SECTION 2.** The following statutes are repealed: G.S. 14-269, 14-269.3, 14-269.4,  
29 and 14-277.2.

30 **SECTION 3.** Chapter 14 of the General Statutes is amended by adding a new Article  
31 to read:

32 "Article 54C.

33 "Carrying Concealed Weapons.

34 "§ 14-415.35. Carrying concealed weapons.



- 1       (a) Carrying Concealed Weapon. – Any person who is a citizen of the United States and is  
2 at least 21 years old may carry a concealed weapon in this State unless provided otherwise by law.
- 3       (b) Offense. – It is unlawful for a person who meets any of the following criteria to carry a  
4 concealed weapon:
- 5           (1) Is ineligible to own, possess, or receive a firearm under the provisions of State  
6 or federal law.
- 7           (2) Is under indictment or against whom a finding of probable cause exists for a  
8 felony.
- 9           (3) Has been adjudicated guilty in any court of a felony, unless (i) the felony is an  
10 offense that pertains to antitrust violations, unfair trade practices, or restraints  
11 of trade or (ii) the person's firearms rights have been restored pursuant to  
12 G.S. 14-415.4.
- 13           (4) Is a fugitive from justice.
- 14           (5) Is an unlawful user of, or addicted to, marijuana, alcohol, or any depressant,  
15 stimulant, or narcotic drug, or any other controlled substance as defined in 21  
16 U.S.C. § 802.
- 17           (6) Is currently, or has been previously adjudicated by a court or administratively  
18 determined by a governmental agency whose decisions are subject to judicial  
19 review to be, lacking mental capacity or mentally ill. Receipt of previous  
20 consultative services or outpatient treatment alone shall not disqualify any  
21 citizen under this subdivision.
- 22           (7) Is or has been discharged from the Armed Forces of the United States under  
23 conditions other than honorable.
- 24           (8) Is or has been adjudicated guilty of or received a prayer for judgment continued  
25 or suspended sentence for one or more crimes of violence constituting a  
26 misdemeanor, including, but not limited to, a violation of a misdemeanor under  
27 Article 8 of Chapter 14 of the General Statutes or a violation of a misdemeanor  
28 under G.S. 14-225.2, 14-226.1, 14-258.1, 14-269.2, 14-415.36, 14-415.37,  
29 14-415.38, 14-269.6, 14-276.1, 14-277, 14-277.1, 14-415.39, 14-277.3A,  
30 14-281.1, 14-283, 14-288.2, 14-288.4(a)(1) or (2), 14-288.6, 14-288.9, former  
31 14-288.12, former 14-288.13, former 14-288.14, 14-288.20A, 14-318.2,  
32 14-415.21(b), 14-415.26(d), or former 14-277.3.
- 33           (9) Has had entry of a prayer for judgment continued for a criminal offense that  
34 would make it unlawful under this section for the person to carry a concealed  
35 weapon.
- 36           (10) Is free on bond or personal recognizance pending trial, appeal, or sentencing for  
37 a crime that would make it unlawful under this section for the person to carry a  
38 concealed weapon.
- 39           (11) Has been convicted of an impaired driving offense under G.S. 20-138.1,  
40 20-138.2, or 20-138.3 within three years prior to the date on which the person is  
41 carrying the weapon.
- 42       (c) Valid Identification Required; Disclosure to Law Enforcement Officer When Carrying  
43 Concealed. – When carrying a concealed weapon, a person shall also carry valid identification and  
44 shall disclose to any law enforcement officer that the person is carrying a concealed weapon when  
45 approached or addressed by the officer and shall display the proper identification upon the request  
46 of a law enforcement officer.
- 47       (d) Penalty. – Any person who violates subsection (b) of this section is guilty of a Class 2  
48 misdemeanor for a first offense and is guilty of a Class H felony for a second or subsequent  
49 offense. Any person who violates subsection (c) of this section commits an infraction and shall be  
50 punished in accordance with G.S. 14-3.1.

1 **"§ 14-415.36. Unlawful to carry concealed weapons into assemblies and establishments**  
2 **where alcoholic beverages are sold and consumed when property owner posts that**  
3 **no concealed carry is allowed.**

4 (a) It is a Class 1 misdemeanor for a person to carry a concealed weapon into any of the  
5 following:

6 (1) An assembly where a fee has been charged for admission thereto if notice is  
7 given that carrying a concealed weapon on the premises is prohibited by either  
8 the posting of a conspicuous notice or statement by the person in legal  
9 possession or control of the premises.

10 (2) Any establishment in which alcoholic beverages are sold and consumed if  
11 notice is given that carrying a concealed handgun on the premises is prohibited  
12 by either the posting of a conspicuous notice or statement by the person in legal  
13 possession or control of the premises.

14 (b) This section does not apply to any of the following:

15 (1) The owner or lessee of the premises or business establishment.

16 (2) A person participating in the event, if the person is carrying a gun, rifle, or  
17 pistol with the permission of the owner, lessee, or person or organization  
18 sponsoring the event.

19 (3) A person registered or hired as a security guard by the owner, lessee, or person  
20 or organization sponsoring the event.

21 (4) Officers and enlisted personnel of the Armed Forces of the United States when  
22 in discharge of their official duties as such and acting under orders requiring  
23 them to carry arms and weapons.

24 (5) Civil and law enforcement officers of the United States.

25 (6) Officers and soldiers of the militia and the National Guard when called into  
26 actual service.

27 (7) Officers of the State, or of any county, city, town, or company police agency  
28 charged with the execution of the laws of the State, when acting in the  
29 discharge of their official duties.

30 (8) Any person who is a district attorney, an assistant district attorney, or an  
31 investigator employed by the office of a district attorney; provided that the  
32 person shall not carry a concealed weapon at any time while consuming alcohol  
33 or an unlawful controlled substance or while alcohol or an unlawful controlled  
34 substance remains in the person's body.

35 (9) Any person who is a qualified retired law enforcement officer as defined in  
36 G.S. 14-415.10.

37 (10) Detention personnel or correctional officers employed by the State or a unit of  
38 local government who park a vehicle in a space that is authorized for their use  
39 in the course of their duties may transport a firearm to the parking space and  
40 store that firearm in the vehicle parked in the parking space; provided that (i)  
41 the firearm is in a closed compartment or container within the locked vehicle or  
42 (ii) the firearm is in a locked container securely affixed to the vehicle.

43 (11) Any person who is a North Carolina district court judge, North Carolina  
44 superior court judge, or a North Carolina magistrate; provided that the person  
45 shall not carry a concealed weapon at any time while consuming alcohol or an  
46 unlawful controlled substance or while alcohol or an unlawful controlled  
47 substance remains in the person's body.

48 (12) Any person who is serving as a clerk of court or as a register of deeds; provided  
49 that the person shall not carry a concealed weapon at any time while consuming  
50 alcohol or an unlawful controlled substance or while alcohol or an unlawful  
51 controlled substance remains in the person's body. This subdivision does not

- 1           apply to assistants, deputies, or other employees of the clerk of court or register  
2           of deeds.
- 3           (13) Sworn law enforcement officers, when off duty; provided that an officer does  
4           not carry a concealed weapon while consuming alcohol or an unlawful  
5           controlled substance or while alcohol or an unlawful controlled substance  
6           remains in the officer's body.
- 7           (14) State probation or parole-certified officers, when off duty; provided that an  
8           officer does not carry a concealed weapon while consuming alcohol or an  
9           unlawful controlled substance or while alcohol or an unlawful controlled  
10           substance remains in the officer's body.
- 11           (15) A member of the North Carolina National Guard who has been designated in  
12           writing by the Adjutant General, State of North Carolina, who has a concealed  
13           handgun permit issued in accordance with Article 54B of this Chapter or  
14           considered valid under G.S. 14-415.24, and is acting in the discharge of his or  
15           her official duties; provided that the member does not carry a concealed weapon  
16           while consuming alcohol or an unlawful controlled substance or while alcohol  
17           or an unlawful controlled substance remains in the member's body.
- 18           (16) A person employed by the Department of Public Safety who has been  
19           designated in writing by the Secretary of the Department, who has a concealed  
20           handgun permit issued in accordance with Article 54B of this Chapter or  
21           considered valid under G.S. 14-415.24, and has in the person's possession  
22           written proof of the designation by the Secretary of the Department; provided  
23           that the person shall not carry a concealed weapon at any time while consuming  
24           alcohol or an unlawful controlled substance or while alcohol or an unlawful  
25           controlled substance remains in the person's body.
- 26           (17) Any person who is an administrative law judge described in Article 60 of  
27           Chapter 7A of the General Statutes and who has a concealed handgun permit  
28           issued in accordance with Article 54B of this Chapter or considered valid under  
29           G.S. 14-415.24; provided that the person shall not carry a concealed weapon at  
30           any time while consuming alcohol or an unlawful controlled substance or while  
31           alcohol or an unlawful controlled substance remains in the person's body.
- 32           (18) State correctional officers, when off-duty; provided that an officer does not  
33           carry a concealed weapon while consuming alcohol or an unlawful controlled  
34           substance or while alcohol or an unlawful controlled substance remains in the  
35           officer's body. If the concealed weapon is a handgun, the correctional officer  
36           must meet the firearms training standards of the Division of Adult Correction of  
37           the Department of Public Safety.

38 **§ 14-415.37. No weapons on the premises of the State Capitol, Executive Mansion, or**  
39 **Western Residence of the Governor.**

40           (a) It is unlawful for any person to possess, or carry, whether openly or concealed, any  
41 deadly weapon not used solely for instructional or officially sanctioned ceremonial purposes in the  
42 State Capitol Building, the Executive Mansion, the Western Residence of the Governor, or on the  
43 grounds of any of these buildings.

44           (b) This section shall not apply to any of the following:

- 45           (1) Officers and enlisted personnel of the Armed Forces of the United States when  
46           in discharge of their official duties as such and acting under orders requiring  
47           them to carry arms and weapons.
- 48           (2) Civil and law enforcement officers of the United States.
- 49           (3) Officers and soldiers of the militia and the National Guard when called into  
50           actual service.

- 1           (4) Officers of the State, or of any county, city, town, or company police agency  
2 charged with the execution of the laws of the State, when acting in the  
3 discharge of their official duties.
- 4           (5) Detention personnel or correctional officers employed by the State or a unit of  
5 local government who park a vehicle in a space that is authorized for their use  
6 in the course of their duties may transport a firearm to the parking space and  
7 store that firearm in the vehicle parked in the parking space; provided that (i)  
8 the firearm is in a closed compartment or container within the locked vehicle or  
9 (ii) the firearm is in a locked container securely affixed to the vehicle.
- 10          (6) Sworn law enforcement officers, when off duty; provided that an officer does  
11 not carry a concealed weapon while consuming alcohol or an unlawful  
12 controlled substance or while alcohol or an unlawful controlled substance  
13 remains in the officer's body.
- 14          (7) State probation or parole-certified officers, when off duty; provided that an  
15 officer does not carry a concealed weapon while consuming alcohol or an  
16 unlawful controlled substance or while alcohol or an unlawful controlled  
17 substance remains in the officer's body.
- 18          (8) A member of the North Carolina National Guard who has been designated in  
19 writing by the Adjutant General, State of North Carolina, who has a concealed  
20 handgun permit issued in accordance with Article 54B of this Chapter or  
21 considered valid under G.S. 14-415.24, and is acting in the discharge of his or  
22 her official duties; provided that the member does not carry a concealed weapon  
23 while consuming alcohol or an unlawful controlled substance or while alcohol  
24 or an unlawful controlled substance remains in the member's body.
- 25          (9) A person employed by the Department of Public Safety who has been  
26 designated in writing by the Secretary of the Department, who has a concealed  
27 handgun permit issued in accordance with Article 54B of this Chapter or  
28 considered valid under G.S. 14-415.24, and has in the person's possession  
29 written proof of the designation by the Secretary of the Department; provided  
30 that the person shall not carry a concealed weapon at any time while consuming  
31 alcohol or an unlawful controlled substance or while alcohol or an unlawful  
32 controlled substance remains in the person's body.
- 33          (10) Any person who is an administrative law judge described in Article 60 of  
34 Chapter 7A of the General Statutes and who has a concealed handgun permit  
35 issued in accordance with Article 54B of this Chapter or considered valid under  
36 G.S. 14-415.24; provided that the person shall not carry a concealed weapon at  
37 any time while consuming alcohol or an unlawful controlled substance or while  
38 alcohol or an unlawful controlled substance remains in the person's body.
- 39          (11) State correctional officers, when off-duty; provided that an officer does not  
40 carry a concealed weapon while consuming alcohol or an unlawful controlled  
41 substance or while alcohol or an unlawful controlled substance remains in the  
42 officer's body. If the concealed weapon is a handgun, the correctional officer  
43 must meet the firearms training standards of the Division of Adult Correction of  
44 the Department of Public Safety.

45           (c) A violation of this section is a Class 1 misdemeanor.

46 **"§ 14-415.38. Weapons in courthouses.**

47           (a) It is unlawful for any person to possess, or carry, whether openly or concealed, any  
48 deadly weapon not used solely for instructional or officially sanctioned ceremonial purposes in  
49 any building housing any court of the General Court of Justice. If a court is housed in a building  
50 containing nonpublic uses in addition to the court, then this prohibition shall apply only to that  
51 portion of the building used for court purposes while the building is being used for court purposes.

1       (b) This section shall not apply to any of the following:

- 2           (1) Officers and enlisted personnel of the Armed Forces of the United States when  
3 in discharge of their official duties as such and acting under orders requiring  
4 them to carry arms and weapons.
- 5           (2) Civil and law enforcement officers of the United States.
- 6           (3) Officers and soldiers of the militia and the National Guard when called into  
7 actual service.
- 8           (4) Officers of the State, or of any county, city, town, or company police agency  
9 charged with the execution of the laws of the State, when acting in the  
10 discharge of their official duties.
- 11          (5) Any district court judge or superior court judge who carries or possesses a  
12 concealed handgun in a building housing a court of the General Court of Justice  
13 if the judge is in the building to discharge his or her official duties.
- 14          (6) Any person who is a district attorney, an assistant district attorney, or an  
15 investigator employed by the office of a district attorney; provided that the  
16 person shall not carry a concealed weapon at any time while in a courtroom.  
17 The district attorney, assistant district attorney, or investigator shall secure the  
18 weapon in a locked compartment when the weapon is not on the person of the  
19 district attorney, assistant district attorney, or investigator. Notwithstanding the  
20 provisions of this subdivision, a district attorney may carry a concealed weapon  
21 while in courtroom.
- 22          (7) Any person who is a qualified retired law enforcement officer as defined in  
23 G.S. 14-415.10.
- 24          (8) Detention personnel or correctional officers employed by the State or a unit of  
25 local government who park a vehicle in a space that is authorized for their use  
26 in the course of their duties may transport a firearm to the parking space and  
27 store that firearm in the vehicle parked in the parking space; provided that (i)  
28 the firearm is in a closed compartment or container within the locked vehicle or  
29 (ii) the firearm is in a locked container securely affixed to the vehicle.
- 30          (9) Any person who is serving as a clerk of court or as a register of deeds. The  
31 clerk of court or register of deeds shall secure the weapon in a locked  
32 compartment when the weapon is not on the person of the clerk of court or  
33 register of deeds. This subdivision does not apply to assistants, deputies, or  
34 other employees of the clerk of court or register of deeds.
- 35          (10) Sworn law enforcement officers, when off duty.
- 36          (11) State probation or parole-certified officers, when off duty.
- 37          (12) Any person in a building housing a court of the General Court of Justice in  
38 possession of a weapon for evidentiary purposes, to deliver it to a law  
39 enforcement agency, or for purposes of registration.
- 40          (13) Firearms in a courthouse, carried by detention officers employed by and  
41 authorized by the sheriff to carry firearms.
- 42          (14) Any magistrate who carries or possesses a concealed handgun in any portion of  
43 a building housing a court of the General Court of Justice other than a  
44 courtroom itself unless the magistrate is presiding in that courtroom, if the  
45 magistrate (i) is in the building to discharge the magistrate's official duties, (ii)  
46 has successfully completed a one-time weapons retention training substantially  
47 similar to that provided to certified law enforcement officers in North Carolina,  
48 and (iii) secures the weapon in a locked compartment when the weapon is not  
49 on the magistrate's person.
- 50          (15) A person who has a firearm in a closed compartment or container within the  
51 person's locked vehicle or in a locked container securely affixed to the person's

1 vehicle. A person may unlock the vehicle to enter or exit the vehicle; provided  
2 the firearm remains in the closed compartment at all times and the vehicle is  
3 locked immediately following the entrance or exit.

4 (16) A member of the North Carolina National Guard who has been designated in  
5 writing by the Adjutant General, State of North Carolina, who has a concealed  
6 handgun permit issued in accordance with Article 54B of this Chapter or  
7 considered valid under G.S. 14-415.24, and is acting in the discharge of his or  
8 her official duties; provided that the member does not carry a concealed weapon  
9 while consuming alcohol or an unlawful controlled substance or while alcohol  
10 or an unlawful controlled substance remains in the member's body.

11 (17) A person employed by the Department of Public Safety who has been  
12 designated in writing by the Secretary of the Department, who has a concealed  
13 handgun permit issued in accordance with Article 54B of this Chapter or  
14 considered valid under G.S. 14-415.24, and has in the person's possession  
15 written proof of the designation by the Secretary of the Department; provided  
16 that the person shall not carry a concealed weapon at any time while consuming  
17 alcohol or an unlawful controlled substance or while alcohol or an unlawful  
18 controlled substance remains in the person's body.

19 (18) Any person who is an administrative law judge described in Article 60 of  
20 Chapter 7A of the General Statutes and who has a concealed handgun permit  
21 issued in accordance with Article 54B of this Chapter or considered valid under  
22 G.S. 14-415.24; provided that the person shall not carry a concealed weapon at  
23 any time while consuming alcohol or an unlawful controlled substance or while  
24 alcohol or an unlawful controlled substance remains in the person's body.

25 (19) State correctional officers, when off-duty; provided that an officer does not  
26 carry a concealed weapon while consuming alcohol or an unlawful controlled  
27 substance or while alcohol or an unlawful controlled substance remains in the  
28 officer's body. If the concealed weapon is a handgun, the correctional officer  
29 must meet the firearms training standards of the Division of Adult Correction of  
30 the Department of Public Safety.

31 (c) A violation of this section is a Class 1 misdemeanor.

32 **"§ 14-415.39. Weapons prohibited at parades and funeral services when property owner**  
33 **posts that no concealed carry is allowed.**

34 (a) It is unlawful for any person participating in, affiliated with, or present as a spectator at  
35 any parade or funeral procession to carry a concealed weapon on any premises where the person in  
36 legal possession or control of the premises has posted a conspicuous notice prohibiting the  
37 carrying of a concealed weapon on the premises in accordance with G.S. 14-415.11(c).

38 (b) It is presumed that any rifle or gun carried on a rack in a pickup truck at a holiday  
39 parade or in a funeral procession does not violate the terms of this act.

40 (c) The provisions of this section shall not apply to any of the following:

41 (1) A person authorized by State or federal law to carry dangerous weapons in the  
42 performance of their duties.

43 (2) Any person who obtains a permit to carry a dangerous weapon at a parade or  
44 funeral procession from the sheriff or police chief, whichever is appropriate, of  
45 the locality where the parade or funeral procession is to take place.

46 (3) Officers and enlisted personnel of the Armed Forces of the United States when  
47 in discharge of their official duties as such and acting under orders requiring  
48 them to carry arms and weapons.

49 (4) Civil and law enforcement officers of the United States.

50 (5) Officers and soldiers of the militia and the National Guard when called into  
51 actual service.

- 1           (6)   Officers of the State, or of any county, city, town, or company police agency  
2           charged with the execution of the laws of the State, when acting in the  
3           discharge of their official duties.
- 4           (7)   Any person who is a district attorney, an assistant district attorney, or an  
5           investigator employed by the office of a district attorney; provided that the  
6           person shall not carry a concealed weapon at any time while consuming alcohol  
7           or an unlawful controlled substance or while alcohol or an unlawful controlled  
8           substance remains in the person's body.
- 9           (8)   Any person who is a qualified retired law enforcement officer as defined in  
10          G.S. 14-415.10.
- 11          (9)   Detention personnel or correctional officers employed by the State or a unit of  
12          local government who park a vehicle in a space that is authorized for their use  
13          in the course of their duties may transport a firearm to the parking space and  
14          store that firearm in the vehicle parked in the parking space; provided that (i)  
15          the firearm is in a closed compartment or container within the locked vehicle or  
16          (ii) the firearm is in a locked container securely affixed to the vehicle.
- 17          (10) Any person who is a North Carolina district court judge, North Carolina  
18          superior court judge, or a North Carolina magistrate; provided that the person  
19          shall not carry a concealed weapon at any time while consuming alcohol or an  
20          unlawful controlled substance or while alcohol or an unlawful controlled  
21          substance remains in the person's body.
- 22          (11) Any person who is serving as a clerk of court or as a register of deeds; provided  
23          that the person shall not carry a concealed weapon at any time while consuming  
24          alcohol or an unlawful controlled substance or while alcohol or an unlawful  
25          controlled substance remains in the person's body. This subdivision does not  
26          apply to assistants, deputies, or other employees of the clerk of court or register  
27          of deeds.
- 28          (12) Sworn law enforcement officers, when off duty; provided that an officer does  
29          not carry a concealed weapon while consuming alcohol or an unlawful  
30          controlled substance or while alcohol or an unlawful controlled substance  
31          remains in the officer's body.
- 32          (13) 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.
- 36          (14) A member of the North Carolina National Guard who has been designated in  
37          writing by the Adjutant General, State of North Carolina, who has a concealed  
38          handgun permit issued in accordance with Article 54B of this Chapter or  
39          considered valid under G.S. 14-415.24, and is acting in the discharge of his or  
40          her official duties; provided that the member does not carry a concealed weapon  
41          while consuming alcohol or an unlawful controlled substance or while alcohol  
42          or an unlawful controlled substance remains in the member's body.
- 43          (15) A person employed by the Department of Public Safety who has been  
44          designated in writing by the Secretary of the Department, who has a concealed  
45          handgun permit issued in accordance with Article 54B of this Chapter or  
46          considered valid under G.S. 14-415.24, and has in the person's possession  
47          written proof of the designation by the Secretary of the Department; provided  
48          that the person shall not carry a concealed weapon at any time while consuming  
49          alcohol or an unlawful controlled substance or while alcohol or an unlawful  
50          controlled substance remains in the person's body.



- 1           (16) Any person who is an administrative law judge described in Article 60 of  
2 Chapter 7A of the General Statutes and who has a concealed handgun permit  
3 issued in accordance with Article 54B of this Chapter or considered valid under  
4 G.S. 14-415.24; provided that the person shall not carry a concealed weapon at  
5 any time while consuming alcohol or an unlawful controlled substance or while  
6 alcohol or an unlawful controlled substance remains in the person's body.
- 7           (17) State correctional officers, when off-duty; provided that an officer does not  
8 carry a concealed weapon while consuming alcohol or an unlawful controlled  
9 substance or while alcohol or an unlawful controlled substance remains in the  
10 officer's body. If the concealed weapon is a handgun, the correctional officer  
11 must meet the firearms training standards of the Division of Adult Correction of  
12 the Department of Public Safety.
- 13           (d) A violation of this section is a Class 1 misdemeanor.
- 14 **"§ 14-415.40. Unlawful to carry a concealed weapon into certain areas.**
- 15           (a) It is unlawful to carry a concealed weapon into the following areas unless provided  
16 otherwise by law:
- 17               (1) In an area prohibited by rule adopted under G.S. 120-32.1.  
18               (2) In any area prohibited by 18 U.S.C. § 922 or any other federal law.  
19               (3) In a law enforcement or correctional facility.  
20               (4) On any private premises where notice that carrying a concealed handgun is  
21 prohibited by the posting of a conspicuous notice or statement by the person in  
22 legal possession or control of the premises.
- 23           (b) This section shall not apply to any of the following:
- 24               (1) Officers and enlisted personnel of the Armed Forces of the United States when  
25 in discharge of their official duties as such and acting under orders requiring  
26 them to carry arms and weapons.
- 27               (2) Civil and law enforcement officers of the United States.
- 28               (3) Officers and soldiers of the militia and the National Guard when called into  
29 actual service.
- 30               (4) Officers of the State, or of any county, city, town, or company police agency  
31 charged with the execution of the laws of the State, when acting in the  
32 discharge of their official duties.
- 33               (5) Any person who is a district attorney, an assistant district attorney, or an  
34 investigator employed by the office of a district attorney; provided that the  
35 person shall not carry a concealed weapon at any time while in a courtroom or  
36 while consuming alcohol or an unlawful controlled substance or while alcohol  
37 or an unlawful controlled substance remains in the person's body. The district  
38 attorney, assistant district attorney, or investigator shall secure the weapon in a  
39 locked compartment when the weapon is not on the person of the district  
40 attorney, assistant district attorney, or investigator.
- 41               (6) Any person who is a qualified retired law enforcement officer as defined in  
42 G.S. 14-415.10.
- 43               (7) Detention personnel or correctional officers employed by the State or a unit of  
44 local government who park a vehicle in a space that is authorized for their use  
45 in the course of their duties may transport a firearm to the parking space and  
46 store that firearm in the vehicle parked in the parking space; provided that (i)  
47 the firearm is in a closed compartment or container within the locked vehicle or  
48 (ii) the firearm is in a locked container securely affixed to the vehicle.
- 49               (8) Any person who is a North Carolina district court judge, North Carolina  
50 superior court judge, or a North Carolina magistrate; provided that the person  
51 shall not carry a concealed weapon at any time while consuming alcohol or an

1 unlawful controlled substance or while alcohol or an unlawful controlled  
2 substance remains in the person's body. The judge or magistrate shall secure the  
3 weapon in a locked compartment when the weapon is not on the person of the  
4 judge or magistrate.

5 (9) Any person who is serving as a clerk of court or as a register of deeds; provided  
6 that the person shall not carry a concealed weapon at any time while consuming  
7 alcohol or an unlawful controlled substance or while alcohol or an unlawful  
8 controlled substance remains in the person's body. The clerk of court or register  
9 of deeds shall secure the weapon in a locked compartment when the weapon is  
10 not on the person of the clerk of court or register of deeds. This subdivision  
11 does not apply to assistants, deputies, or other employees of the clerk of court  
12 or register of deeds.

13 (10) Sworn law enforcement officers, when off duty; provided that an officer does  
14 not carry a concealed weapon while consuming alcohol or an unlawful  
15 controlled substance or while alcohol or an unlawful controlled substance  
16 remains in the officer's body.

17 (11) State probation or parole-certified officers, when off duty; provided that an  
18 officer does not carry a concealed weapon while consuming alcohol or an  
19 unlawful controlled substance or while alcohol or an unlawful controlled  
20 substance remains in the officer's body.

21 (12) A member of the North Carolina National Guard who has been designated in  
22 writing by the Adjutant General, State of North Carolina, who has a concealed  
23 handgun permit issued in accordance with Article 54B of this Chapter or  
24 considered valid under G.S. 14-415.24, and is acting in the discharge of his or  
25 her official duties; provided that the member does not carry a concealed weapon  
26 while consuming alcohol or an unlawful controlled substance or while alcohol  
27 or an unlawful controlled substance remains in the member's body.

28 (13) A person employed by the Department of Public Safety who has been  
29 designated in writing by the Secretary of the Department, who has a concealed  
30 handgun permit issued in accordance with Article 54B of this Chapter or  
31 considered valid under G.S. 14-415.24, and has in the person's possession  
32 written proof of the designation by the Secretary of the Department; provided  
33 that the person shall not carry a concealed weapon at any time while consuming  
34 alcohol or an unlawful controlled substance or while alcohol or an unlawful  
35 controlled substance remains in the person's body.

36 (14) Any person who is an administrative law judge described in Article 60 of  
37 Chapter 7A of the General Statutes and who has a concealed handgun permit  
38 issued in accordance with Article 54B of this Chapter or considered valid under  
39 G.S. 14-415.24; provided that the person shall not carry a concealed weapon at  
40 any time while consuming alcohol or an unlawful controlled substance or while  
41 alcohol or an unlawful controlled substance remains in the person's body.

42 (15) State correctional officers, when off-duty; provided that an officer does not  
43 carry a concealed weapon while consuming alcohol or an unlawful controlled  
44 substance or while alcohol or an unlawful controlled substance remains in the  
45 officer's body. If the concealed weapon is a handgun, the correctional officer  
46 must meet the firearms training standards of the Division of Adult Correction of  
47 the Department of Public Safety.

48 (c) A violation of this section is a Class 1 misdemeanor."

49 **SECTION 4.** G.S. 14-269.1 reads as rewritten:

50 **"§ 14-269.1. Confiscation and disposition of deadly weapons.**

1 Upon conviction of any person for violation of ~~G.S. 14-269~~, G.S. 14-415.35(b), G.S. 14-269.7,  
2 or any other offense involving the use of a deadly ~~weapon of a type referred to in G.S. 14-269,~~  
3 weapon, the deadly weapon with reference to which the defendant shall have been convicted shall  
4 be ordered confiscated and disposed of by the presiding judge at the trial in one of the following  
5 ways in the discretion of the presiding judge.

6 ...."

7 **SECTION 5.** G.S. 14-269.2 reads as rewritten:

8 **"§ 14-269.2. Weapons on campus or other educational property.**

9 ...  
10 (g) This section shall not apply to any of the following:

11 (1) A weapon used solely for educational or school-sanctioned ceremonial  
12 purposes, or used in a school-approved program conducted under the  
13 supervision of an adult whose supervision has been approved by the school  
14 authority.

15 (1a) ~~A person exempted by the provisions of G.S. 14-269(b).~~

16 (1b) Officers and enlisted personnel of the Armed Forces of the United States when  
17 in discharge of their official duties as such and acting under orders requiring  
18 them to carry arms and weapons.

19 (1c) Civil and law enforcement officers of the United States.

20 (1d) Officers and soldiers of the militia and the National Guard when called into  
21 actual service.

22 (1e) Officers of the State, or of any county, city, town, or company police agency  
23 charged with the execution of the laws of the State, when acting in the  
24 discharge of their official duties.

25 (1f) Any person who is a qualified retired law enforcement officer, as defined in  
26 G.S. 14-415.10.

27 (1g) Detention personnel or correctional officers employed by the State or a unit of  
28 local government who park a vehicle in a space that is authorized for their use  
29 in the course of their duties may transport a firearm to the parking space and  
30 store that firearm in the vehicle parked in the parking space; provided that (i)  
31 the firearm is in a closed compartment or container within the locked vehicle or  
32 (ii) the firearm is in a locked container securely affixed to the vehicle.

33 (1h) Sworn law enforcement officers, when off duty; provided that an officer does  
34 not carry a concealed weapon while consuming alcohol or an unlawful  
35 controlled substance or while alcohol or an unlawful controlled substance  
36 remains in the officer's body.

37 (1i) State probation or parole-certified officers, when off duty; provided that an  
38 officer does not carry a concealed weapon while consuming alcohol or an  
39 unlawful controlled substance or while alcohol or an unlawful controlled  
40 substance remains in the officer's body.

41 (2) Firefighters, emergency service personnel, North Carolina Forest Service  
42 personnel, detention officers employed by and authorized by the sheriff to carry  
43 firearms, and any private police employed by a school, when acting in the  
44 discharge of their official duties.

45 (3) Home schools as defined in G.S. 115C-563(a).

46 (4) Weapons used for hunting purposes on the Howell Woods Nature Center  
47 property in Johnston County owned by Johnston Community College when  
48 used with the written permission of Johnston Community College or for  
49 hunting purposes on other educational property when used with the written  
50 permission of the governing body of the school that controls the educational  
51 property.

- 1 (5) A person registered under Chapter 74C of the General Statutes as an armed  
2 armored car service guard or an armed courier service guard when acting in the  
3 discharge of the guard's duties and with the permission of the college or  
4 university.
- 5 (6) A person registered under Chapter 74C of the General Statutes as an armed  
6 security guard while on the premises of a hospital or health care facility located  
7 on educational property when acting in the discharge of the guard's duties with  
8 the permission of the college or university.
- 9 (7) A volunteer school safety resource officer providing security at a school  
10 pursuant to an agreement as provided in G.S. 115C-47(61) and either  
11 G.S. 162-26 or G.S. 160A-288.4, provided that the volunteer school safety  
12 resource officer is acting in the discharge of the person's official duties and is  
13 on the educational property of the school that the officer was assigned to by the  
14 head of the appropriate local law enforcement agency.
- 15 (8) A member of the North Carolina National Guard who has been designated in  
16 writing by the Adjutant General, State of North Carolina, who has a concealed  
17 handgun permit issued in accordance with Article 54B of this Chapter or  
18 considered valid under G.S. 14-415.24, and is acting in the discharge of his or  
19 her official duties; provided that the member does not carry a concealed weapon  
20 while consuming alcohol or an unlawful controlled substance or while alcohol  
21 or an unlawful controlled substance remains in the member's body.
- 22 (9) A person employed by the Department of Public Safety who has been  
23 designated in writing by the Secretary of the Department, who has a concealed  
24 handgun permit issued in accordance with Article 54B of this Chapter or  
25 considered valid under G.S. 14-415.24, and has in the person's possession  
26 written proof of the designation by the Secretary of the Department; provided  
27 that the person shall not carry a concealed weapon at any time while consuming  
28 alcohol or an unlawful controlled substance or while alcohol or an unlawful  
29 controlled substance remains in the person's body.
- 30 (10) Any person who is an administrative law judge described in Article 60 of  
31 Chapter 7A of the General Statutes and who has a concealed handgun permit  
32 issued in accordance with Article 54B of this Chapter or considered valid under  
33 G.S. 14-415.24; provided that the person shall not carry a concealed weapon at  
34 any time while consuming alcohol or an unlawful controlled substance or while  
35 alcohol or an unlawful controlled substance remains in the person's body.
- 36 (11) State correctional officers, when off-duty; provided that an officer does not  
37 carry a concealed weapon while consuming alcohol or an unlawful controlled  
38 substance or while alcohol or an unlawful controlled substance remains in the  
39 officer's body. If the concealed weapon is a handgun, the correctional officer  
40 must meet the firearms training standards of the Division of Adult Correction of  
41 the Department of Public Safety.
- 42 ...
- 43 (i) The provisions of this section shall not apply to an employee of an institution of higher  
44 education as defined in G.S. 116-143.1 or a nonpublic post-secondary educational institution who  
45 resides on the campus of the institution at which the person is employed when all of the following  
46 criteria are met:
- 47 (1) The employee's residence is a detached, single-family dwelling in which only  
48 the employee and the employee's immediate family reside.
- 49 (2) The institution is either:
- 50 a. An institution of higher education as defined by G.S. 116-143.1.

- 1                   b.     A nonpublic post-secondary educational institution that has not  
2                                 specifically prohibited the possession of a handgun pursuant to this  
3                                 subsection.
- 4                   (3)     The weapon is a handgun.
- 5                   (4)     ~~The handgun is possessed in one of the following manners as appropriate:~~
- 6                   a.     ~~If the employee has a concealed handgun permit that is valid under~~  
7                                 ~~Article 54B of this Chapter, or who is exempt from obtaining a permit~~  
8                                 ~~pursuant to that Article, the handgun may be~~ The handgun is on the  
9                                 premises of the employee's residence or in a closed compartment or  
10                                 container within the employee's locked vehicle that is located in a  
11                                 parking area of the educational property of the institution at which the  
12                                 person is employed and resides. Except for direct transfer between the  
13                                 residence and the vehicle, the handgun must remain at all times either  
14                                 on the premises of the employee's residence or in the closed  
15                                 compartment of the employee's locked vehicle. The employee may  
16                                 unlock the vehicle to enter or exit, but must lock the vehicle  
17                                 immediately following the entrance or exit if the handgun is in the  
18                                 vehicle.
- 19                   b.     ~~If the employee is not authorized to carry a concealed handgun pursuant~~  
20                                 ~~to Article 54B of this Chapter, the handgun may be on the premises of~~  
21                                 ~~the employee's residence, and may only be in the employee's vehicle~~  
22                                 ~~when the vehicle is occupied by the employee and the employee is~~  
23                                 ~~immediately leaving the campus or is driving directly to their residence~~  
24                                 ~~from off campus. The employee may possess the handgun on the~~  
25                                 ~~employee's person outside the premises of the employee's residence~~  
26                                 ~~when making a direct transfer of the handgun from the residence to the~~  
27                                 ~~employee's vehicle when the employee is immediately leaving the~~  
28                                 ~~campus or from the employee's vehicle to the residence when the~~  
29                                 ~~employee is arriving at the residence from off campus.~~
- 30                   (j)     The provisions of this section shall not apply to an employee of a public or nonpublic  
31                                 school who resides on the campus of the school at which the person is employed when all of the  
32                                 following criteria are met:
- 33                   (1)     The employee's residence is a detached, single-family dwelling in which only  
34                                 the employee and the employee's immediate family reside.
- 35                   (2)     The school is either:
- 36                   a.     A public school which provides residential housing for enrolled  
37                                 students.
- 38                   b.     A nonpublic school which provides residential housing for enrolled  
39                                 students and has not specifically prohibited the possession of a handgun  
40                                 pursuant to this subsection.
- 41                   (3)     The weapon is a handgun.
- 42                   (4)     ~~The handgun is possessed in one of the following manners as appropriate:~~
- 43                   a.     ~~If the employee has a concealed handgun permit that is valid under~~  
44                                 ~~Article 54B of this Chapter, or who is exempt from obtaining a permit~~  
45                                 ~~pursuant to that Article, the handgun may be~~ The handgun is on the  
46                                 premises of the employee's residence or in a closed compartment or  
47                                 container within the employee's locked vehicle that is located in a  
48                                 parking area of the educational property of the school at which the  
49                                 person is employed and resides. Except for direct transfer between the  
50                                 residence and the vehicle, the handgun must remain at all times either  
51                                 on the premises of the employee's residence or in the closed

1 compartment of the employee's locked vehicle. The employee may  
 2 unlock the vehicle to enter or exit, but must lock the vehicle  
 3 immediately following the entrance or exit if the handgun is in the  
 4 vehicle.

5 b. ~~If the employee is not authorized to carry a concealed handgun pursuant  
 6 to Article 54B of this Chapter, the handgun may be on the premises of  
 7 the employee's residence, and may only be in the employee's vehicle  
 8 when the vehicle is occupied by the employee and the employee is  
 9 immediately leaving the campus or is driving directly to their residence  
 10 from off campus. The employee may possess the handgun on the  
 11 employee's person outside the premises of the employee's residence  
 12 when making a direct transfer of the handgun from the residence to the  
 13 employee's vehicle when the employee is immediately leaving the  
 14 campus or from the employee's vehicle to the residence when the  
 15 employee is arriving at the residence from off campus.~~

16 (k) The provisions of this section shall not apply to a person ~~who has a concealed handgun  
 17 permit that is valid under Article 54B of this Chapter, or who is exempt from obtaining a permit  
 18 pursuant to that Article, if~~ when any of the following conditions are met:

- 19 (1) The person has a handgun in a closed compartment or container within the  
 20 person's locked vehicle or in a locked container securely affixed to the person's  
 21 vehicle and only unlocks the vehicle to enter or exit the vehicle while the  
 22 firearm remains in the closed compartment at all times and immediately locks  
 23 the vehicle following the entrance or exit.
- 24 (2) The person has a handgun concealed on the person and the person remains in  
 25 the locked vehicle and only unlocks the vehicle to allow the entrance or exit of  
 26 another person.
- 27 (3) The person is within a locked vehicle and removes the handgun from  
 28 concealment only for the amount of time reasonably necessary to do either of  
 29 the following:
  - 30 a. Move the handgun from concealment on the person to a closed  
 31 compartment or container within the vehicle.
  - 32 b. Move the handgun from within a closed compartment or container  
 33 within the vehicle to concealment on the person.

34 ...."

35 **SECTION 6.** G.S. 14-288.8 reads as rewritten:

36 "**§ 14-288.8. Manufacture, assembly, possession, storage, transportation, sale, purchase,**  
 37 **delivery, or acquisition of weapon of mass death and destruction; exceptions.**

38 (a) Except as otherwise provided in this section, it is unlawful for any person to  
 39 manufacture, assemble, possess, store, transport, sell, offer to sell, purchase, offer to purchase,  
 40 deliver or give to another, or acquire any weapon of mass death and destruction.

41 (b) This section does not apply to any of the following:

- 42 (1) ~~Persons exempted from the provisions of G.S. 14-269 listed in this subdivision~~  
 43 ~~with respect to any activities lawfully engaged in while carrying out their~~  
 44 ~~duties.duties:~~
  - 45 a. Officers and enlisted personnel of the Armed Forces of the United  
 46 States when in discharge of their official duties as such and acting under  
 47 orders requiring them to carry arms and weapons.
  - 48 b. Civil and law enforcement officers of the United States.
  - 49 c. Officers and soldiers of the militia and the National Guard when called  
 50 into actual service.

- 1           d. Officers of the State, or of any county, city, town, or company police  
2           agency charged with the execution of the laws of the State, when acting  
3           in the discharge of their official duties.
- 4           e. Any person who is a district attorney, an assistant district attorney, or an  
5           investigator employed by the office of a district attorney; provided that  
6           the person shall not carry a concealed weapon at any time while in a  
7           courtroom or while consuming alcohol or an unlawful controlled  
8           substance or while alcohol or an unlawful controlled substance remains  
9           in the person's body. The district attorney, assistant district attorney, or  
10           investigator shall secure the weapon in a locked compartment when the  
11           weapon is not on the person of the district attorney, assistant district  
12           attorney, or investigator.
- 13           f. Any person who is a qualified retired law enforcement officer as defined  
14           in G.S. 14-415.10.
- 15           g. Detention personnel or correctional officers employed by the State or a  
16           unit of local government who park a vehicle in a space that is authorized  
17           for their use in the course of their duties may transport a firearm to the  
18           parking space and store that firearm in the vehicle parked in the parking  
19           space; provided that (i) the firearm is in a closed compartment or  
20           container within the locked vehicle or (ii) the firearm is in a locked  
21           container securely affixed to the vehicle.
- 22           h. Any person who is a North Carolina district court judge, North Carolina  
23           superior court judge, or a North Carolina magistrate; provided that the  
24           person shall not carry a concealed weapon at any time while consuming  
25           alcohol or an unlawful controlled substance or while alcohol or an  
26           unlawful controlled substance remains in the person's body. The judge  
27           or magistrate shall secure the weapon in a locked compartment when the  
28           weapon is not on the person of the judge or magistrate.
- 29           i. Any person who is serving as a clerk of court or as a register of deeds;  
30           provided that the person shall not carry a concealed weapon at any time  
31           while consuming alcohol or an unlawful controlled substance or while  
32           alcohol or an unlawful controlled substance remains in the person's  
33           body. The clerk of court or register of deeds shall secure the weapon in  
34           a locked compartment when the weapon is not on the person of the clerk  
35           of court or register of deeds. This subdivision does not apply to  
36           assistants, deputies, or other employees of the clerk of court or register  
37           of deeds.
- 38           j. Sworn law enforcement officers, when off duty; provided that an officer  
39           does not carry a concealed weapon while consuming alcohol or an  
40           unlawful controlled substance or while alcohol or an unlawful  
41           controlled substance remains in the officer's body.
- 42           k. State probation or parole-certified officers, when off duty; provided that  
43           an officer does not carry a concealed weapon while consuming alcohol  
44           or an unlawful controlled substance or while alcohol or an unlawful  
45           controlled substance remains in the officer's body.
- 46           (2) Importers, manufacturers, dealers, and collectors of firearms, ammunition, or  
47           destructive devices validly licensed under the laws of the United States or the  
48           State of North Carolina, while lawfully engaged in activities authorized under  
49           their licenses.

- 1 (3) Persons under contract with the United States, the State of North Carolina, or
- 2 any agency of either government, with respect to any activities lawfully
- 3 engaged in under their contracts.
- 4 (4) Inventors, designers, ordnance consultants and researchers, chemists,
- 5 physicists, and other persons lawfully engaged in pursuits designed to enlarge
- 6 knowledge or to facilitate the creation, development, or manufacture of
- 7 weapons of mass death and destruction intended for use in a manner consistent
- 8 with the laws of the United States and the State of North Carolina.
- 9 (5) Persons who lawfully possess or own a weapon as defined in subsection (c) of
- 10 this section in compliance with 26 U.S.C. Chapter 53, §§ 5801-5871. Nothing
- 11 in this subdivision shall limit the discretion of the sheriff in executing the
- 12 paperwork required by the United States Bureau of Alcohol, Tobacco and
- 13 Firearms for such person to obtain the weapon.

14 ...."

15 **SECTION 7.** G.S. 14-401.24 reads as rewritten:

16 **"§ 14-401.24. Unlawful possession and use of unmanned aircraft systems.**

17 ...

18 (c) The following definitions apply to this section:

19 ...

- 20 (5) Weapon. – Those weapons specified in ~~G.S. 14-269, 14-269.2, G.S. 14-269.2,~~
- 21 14-284.1, or 14-288.8 and any other object capable of inflicting serious bodily
- 22 injury or death when used as a weapon.

23 ...."

24 **SECTION 8.** G.S. 14-409.40 reads as rewritten:

25 **"§ 14-409.40. Statewide uniformity of local regulation.**

26 ...

27 (f) Nothing contained in this section prohibits municipalities or counties from application

28 of their authority under G.S. 153A-129, 160A-189, ~~14-269, 14-269.2, 14-269.3, 14-269.4,~~

29 ~~14-277.2, 14-415.35, 14-415.36, 14-415.38, 14-415.39, 14-415.11, 14-415.23,~~ including

30 prohibiting the possession of firearms in public-owned buildings, on the grounds or parking areas

31 of those buildings, or in public parks or recreation areas, except nothing in this subsection shall

32 prohibit a person from storing a firearm within a motor vehicle while the vehicle is on these

33 grounds or areas. Nothing contained in this section prohibits municipalities or counties from

34 exercising powers provided by law in states of emergency declared under Article 1A of Chapter

35 166A of the General Statutes.

36 ...."

37 **SECTION 9.** G.S. 14-415.4 reads as rewritten:

38 **"§ 14-415.4. Restoration of firearms rights.**

39 ...

40 (e) **Disqualifiers Requiring Denial of Petition.** – The court shall deny the petition to restore

41 the firearms rights of any petitioner if the court finds any of the following:

- 42 (1) The petitioner is ineligible to purchase, own, possess, or have in the person's
- 43 custody, care, or control a firearm under the provisions of any law in North
- 44 Carolina other than G.S. 14-415.1.
- 45 (2) The petitioner is under indictment for a felony or a finding of probable cause
- 46 exists against the petitioner for a felony.
- 47 (3) The petitioner is a fugitive from justice.
- 48 (4) The petitioner is an unlawful user of, or addicted to, marijuana, alcohol, or any
- 49 depressant, stimulant, or narcotic drug, or any other controlled substance as
- 50 defined in 21 U.S.C. § 802.



- 1 (5) The petitioner is or has been dishonorably discharged from the Armed Forces  
2 of the United States.
- 3 (6) The petitioner is or has been adjudicated guilty of or received a prayer for  
4 judgment continued or suspended sentence for one or more crimes of violence  
5 constituting a misdemeanor, including a misdemeanor under Article 8 of  
6 Chapter 14 of the General Statutes, or a misdemeanor under G.S. 14-225.2,  
7 14-226.1, 14-258.1, 14-269.2, ~~14-269.3, 14-269.4, 14-415.36, 14-415.37,~~  
8 14-415.38, 14-269.6, 14-276.1, 14-277, 14-277.1, ~~14-277.2,~~ 14-269.39,  
9 14-277.3, 14-281.1, 14-283, 14-288.2, 14-288.4(a)(1) or (2), 14-288.6,  
10 14-288.9, former 14-288.12, former 14-288.13, former 14-288.14, 14-288.20A,  
11 14-318.2, 14-415.21(b), or 14-415.26(d), or a substantially similar out-of-state  
12 or federal offense.

13 ...."

### 15 PART III. AMENDMENTS TO CONCEALED HANDGUN PERMIT

16 **SECTION 10.** Article 54B of the General Statutes is amended by adding a new  
17 section to read:

18 **"§ 14-415.10A. Purpose.**

19 While G.S. 14-415.35 makes it lawful to carry a concealed weapon in this State without  
20 obtaining a concealed handgun permit, it is often convenient to have a concealed handgun permit  
21 for the purpose of reciprocity when traveling in another state, to make the purchase of a firearm  
22 more efficient, or for various other reasons. Therefore, the State of North Carolina shall continue  
23 to make a concealed handgun permit available to any person who applies for and is eligible to  
24 receive a concealed handgun permit pursuant to this Article."

25 **SECTION 11.** G.S. 14-415.11 reads as rewritten:

26 **"§ 14-415.11. Permit to carry concealed handgun; scope of permit.**

27 (a) Any person who has a concealed handgun permit may carry a concealed handgun  
28 unless otherwise specifically prohibited by law. The person shall carry the permit together with  
29 valid identification whenever the person is carrying a concealed handgun, shall disclose to any law  
30 enforcement officer that the person holds a valid permit and is carrying a concealed handgun when  
31 approached or addressed by the officer, and shall display both the permit and the proper  
32 identification upon the request of a law enforcement officer. ~~In addition to these requirements, a~~  
33 ~~military permittee whose permit has expired during deployment may carry a concealed handgun~~  
34 ~~during the 90 days following the end of deployment and before the permit is renewed provided the~~  
35 ~~permittee also displays proof of deployment to any law enforcement officer.~~

36 (b) The sheriff shall issue a permit to carry a concealed handgun to a person who qualifies  
37 for a permit under G.S. 14-415.12. The permit shall be valid throughout the State for a period of  
38 five years from the date of issuance.

39 (c) Except as provided in G.S. 14-415.27, a permit does not authorize a person to carry a  
40 concealed handgun in any of the following:

- 41 (1) Areas prohibited by ~~G.S. 14-269.2, 14-269.3, and 14-277.2.~~ G.S. 14-269.2 and  
42 G.S. 14-415.36.
- 43 (2) Areas prohibited by ~~G.S. 14-269.4, except as allowed under G.S.~~  
44 ~~14-269.4(6).~~ G.S. 14-269.38, except that a person may have a concealed  
45 handgun if it is in a closed compartment or container within the person's locked  
46 vehicle or in a locked container securely affixed to the person's vehicle. A  
47 person may unlock the vehicle to enter or exit the vehicle provided the firearm  
48 remains in the closed compartment at all times and the vehicle is locked  
49 immediately following the entrance or exit.
- 50 (3) In an area prohibited by rule adopted under G.S. 120-32.1.
- 51 (4) In any area prohibited by 18 U.S.C. § 922 or any other federal law.

- 1 (5) In a law enforcement or correctional facility.
- 2 (6) In a building housing only State or federal offices.
- 3 (7) In an office of the State or federal government that is not located in a building
- 4 exclusively occupied by the State or federal government.
- 5 (8) On any private premises where notice that carrying a concealed handgun is
- 6 prohibited by the posting of a conspicuous notice or statement by the person in
- 7 legal possession or control of the premises.

8 (c1) Any person who has a concealed handgun permit may carry a concealed handgun on  
 9 the grounds or waters of a park within the State Parks System as defined in G.S. 143B-135.44.

10 (c2) It shall be unlawful for a person, with or without a permit, to carry a concealed  
 11 handgun while consuming alcohol or at any time while the person has remaining in the person's  
 12 body any alcohol or in the person's blood a controlled substance previously consumed, but a  
 13 person does not violate this condition if a controlled substance in the person's blood was lawfully  
 14 obtained and taken in therapeutically appropriate amounts or if the person is on the person's own  
 15 property.

16 (c3) ~~As provided in G.S. 14-269.4(5), it~~ It shall be lawful for a person to carry any firearm  
 17 openly, or to carry a concealed handgun with a concealed carry permit, at any State-owned rest  
 18 area, at any State-owned rest stop along the highways, and at any State-owned hunting and fishing  
 19 ~~reservation-reservation; provided the person has the firearm in a closed compartment or container~~  
 20 within the person's locked vehicle or in a locked container securely affixed to the person's vehicle.  
 21 A person may unlock the vehicle to enter or exit the vehicle provided the firearm remains in the  
 22 closed compartment at all times and the vehicle is locked immediately following the entrance or  
 23 exit.

24 (d) A person who is issued a permit shall notify the sheriff who issued the permit of any  
 25 change in the person's permanent address within 30 days after the change of address. If a permit is  
 26 lost or destroyed, the person to whom the permit was issued shall notify the sheriff who issued the  
 27 permit of the loss or destruction of the permit. A person may obtain a duplicate permit by  
 28 submitting to the sheriff a notarized statement that the permit was lost or destroyed and paying the  
 29 required duplicate permit fee."

30 **SECTION 12.** G.S. 14-415.12 reads as rewritten:  
 31 **"§ 14-415.12. Criteria to qualify for the issuance of a permit.**

- 32 ...
- 33 (b) The sheriff shall deny a permit to an applicant who:
  - 34 ...
  - 35 (8) Except as provided in subdivision (8a), (8b), or (8c) of this section, is or has
  - 36 been adjudicated guilty of or received a prayer for judgment continued or
  - 37 suspended sentence for one or more crimes of violence constituting a
  - 38 misdemeanor, including but not limited to, a violation of a misdemeanor under
  - 39 Article 8 of Chapter 14 of the General Statutes except for a violation of
  - 40 G.S. 14-33(a), or a violation of a misdemeanor under G.S. 14-226.1, 4-258.1,
  - 41 14-269.2, ~~14-269.3, 14-269.4, 14-415.36, 14-415.37, 14-415.38, 14-269.6,~~
  - 42 ~~14-277, 14-277.1, 14-277.2, 14-415.39,~~ 14-283 except for a violation involving
  - 43 fireworks exempted under G.S. 14-414, 14-288.2, 14-288.4(a)(1), 14-288.6,
  - 44 14-288.9, former 14-288.12, former 14-288.13, former 14-288.14,
  - 45 14-415.21(b), or 14-415.26(d) within three years prior to the date on which the
  - 46 application is submitted.

47 ...."  
 48 **SECTION 13.** G.S. 14-415.22 is repealed.

49 **SECTION 14.** G.S. 15A-1343 reads as rewritten:  
 50 **"§ 15A-1343. Conditions of probation.**

51 ...

(b) Regular Conditions. – As regular conditions of probation, a defendant must:

(5) Possess no firearm, explosive device or other deadly weapon ~~listed in G.S. 14-269~~ without the written permission of the court.

(14) Submit to warrantless searches by a law enforcement officer of the probationer's person and of the probationer's vehicle, upon a reasonable suspicion that the probationer is engaged in criminal activity or is in possession of a firearm, explosive device, or other deadly weapon ~~listed in G.S. 14-269~~ without written permission of the court.

...."

**SECTION 15.** G.S. 74E-6 reads as rewritten:

**"§ 74E-6. Oaths, powers, and authority of company police officers.**

(c) All Company Police. – Company police officers, while in the performance of their duties of employment, have the same powers as municipal and county police officers to make arrests for both felonies and misdemeanors and to charge for infractions on any of the following:

- (1) Real property owned by or in the possession and control of their employer.
- (2) Real property owned by or in the possession and control of a person who has contracted with the employer to provide on-site company police security personnel services for the property.
- (3) Any other real property while in continuous and immediate pursuit of a person for an offense committed upon property described in subdivisions (1) or (2) of this subsection.

Company police officers shall have, if duly authorized by the superior officer in charge, the authority to carry concealed weapons pursuant to and in conformity with ~~G.S. 14-269(b)(4) and (5)~~G.S. 14-415.35.

...."

**SECTION 16.** G.S. 74G-6 reads as rewritten:

**"§ 74G-6. Oaths, powers, and authority of campus police officers.**

(d) Concealed Weapons. – Campus police officers shall have, if duly authorized by their campus police agency and by the sheriff of the county in which the campus police agency is located, the authority to carry concealed weapons pursuant to and in conformity with ~~G.S. 14-269(b)(5)~~G.S. 14-415.35.

...."

**SECTION 17.** G.S. 113-136 reads as rewritten:

**"§ 113-136. Enforcement authority of inspectors and protectors; refusal to obey or allow inspection by inspectors and protectors.**

(d) Inspectors and protectors are additionally authorized to arrest without warrant under the terms of G.S. 15A-401(b) for felonies, for breaches of the peace, for assaults upon them or in their presence, and for other offenses evincing a flouting of their authority as enforcement officers or constituting a threat to public peace and order which would tend to subvert the authority of the State if ignored. In particular, they are authorized, subject to the direction of the administrative superiors, to arrest for violations of G.S. 14-223, 14-225, ~~14-269,~~14-415.35, and 14-277.

...."

**PART IV. EFFECTIVE DATES**

**SECTION 18.** If a majority of votes cast on the question are in favor of the amendment set out in Section 1(a) of this act, the State Board of Elections shall certify the

1 amendment to the Secretary of State. The constitutional amendment shall become effective  
2 December 1, 2016. The Secretary of State shall enroll the amendment so certified among the  
3 permanent records of that office.

4 **SECTION 19.** Section 2 through Section 17 of this act become effective only upon  
5 approval by the voters of the constitutional amendment proposed in Section 1 of this act. If the  
6 constitutional amendment proposed in Section 1 is approved by the voters, Section 2 through  
7 Section 17 of this act shall also become effective December 1, 2016.

8 **SECTION 20.** Section 1(b) and the remainder of this act are effective when this act  
9 becomes law.