

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

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HOUSE BILL 36

Short Title: Firearms Training/Probation & Parole Officers. (Public)

Sponsors: Representatives Lowery, Ward, and Crutchfield (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary 2, if favorable, Rules, Calendar, and Operations of the House

January 31, 2023

A BILL TO BE ENTITLED
AN ACT TO PROVIDE THAT A QUALIFIED PROBATION OR PAROLE CERTIFIED
OFFICER IS DEEMED TO HAVE SATISFIED THE APPROVED FIREARMS SAFETY
AND TRAINING COURSE REQUIREMENT FOR A CONCEALED HANDGUN
PERMIT.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-415.10 reads as rewritten:

"§ 14-415.10. Definitions.

The following definitions apply to this Article:

...

(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; 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; 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.

(4a) Qualified probation or parole certified officer. – An individual employed as a State probation or parole certified officer who meets all of the following criteria:

- a. The individual is authorized by the Division of Community Supervision and Reentry of the Department of Adult Correction to carry a handgun in the course of duty.



b. The individual is not the subject of a disciplinary action by the Division of Community Supervision and Reentry of the Department of Adult Correction that prevents the carrying of a handgun.

c. The individual meets any requirements established by the Division of Community Supervision and Reentry of the Department of Adult Correction regarding handguns.

~~(4a)~~(4b) Qualified retired correctional officer. – An individual who retired from service as a State correctional officer, other than for reasons of mental disability, who has been retired as a correctional officer two years or less from the date of the permit application and who meets all of the following criteria:

a. Immediately before retirement, the individual met firearms training standards of the Division of Prisons of the Department of Adult Correction and was authorized by the Division of Prisons of the Department of Adult Correction to carry a handgun in the course of assigned duties.

b. The individual retired in good standing and was never a subject of a disciplinary action by the Division of Prisons of the Department of Adult Correction that would have prevented the individual from carrying a handgun.

c. The individual has a vested right to benefits under the Teachers' and State Employees' Retirement System of North Carolina established under Article 1 of Chapter 135 of the General Statutes.

d. The individual is not prohibited by State or federal law from receiving a firearm.

~~(4b)~~(4c) Qualified retired law enforcement officer. – An individual who meets the definition of "qualified retired law enforcement officer" contained in section 926C of Title 18 of the United States Code.

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

a. Immediately before retirement, the individual met firearms training standards of the Division of Community Supervision and Reentry of the Department of Adult Correction and was authorized by the Division of Community Supervision and Reentry of the Department of Adult Correction to carry a handgun in the course of duty.

b. The individual retired in good standing and was never a subject of a disciplinary action by the Division of Community Supervision and Reentry of the Department of Adult Correction that would have prevented the individual from carrying a handgun.

c. The individual has a vested right to benefits under the Teachers' and State Employees' Retirement System of North Carolina established under Article 1 of Chapter 135 of the General Statutes.

d. The individual is not prohibited by State or federal law from receiving a firearm.

...."

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

"(a) A person who is a qualified sworn law enforcement officer, a qualified former sworn law enforcement officer, a qualified retired correctional officer, a qualified probation or parole certified officer, or a qualified retired probation or parole certified officer is deemed to have

1 satisfied the requirement under G.S. 14-415.12(a)(4) that an applicant successfully complete an
2 approved firearms safety and training course."

3 **SECTION 3.** This act is effective when it becomes law and applies to permit
4 applications submitted on or after that date.