

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H.B. 201
Feb 28, 2017
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40124-LH-32A (01/20)

Short Title: NC Constitutional Carry Act.

(Public)

Sponsors: Representative Millis.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROTECT A PERSON'S RIGHT TO CARRY A CONCEALED HANDGUN WITHOUT A PERMIT, TO PURCHASE A HANDGUN WITHOUT A PISTOL PURCHASE PERMIT, AND TO CONTINUE ALLOWING PERSONS TO ACQUIRE A CONCEALED HANDGUN PERMIT FOR THE PURPOSES OF RECIPROCITY OR FOR ANY OTHER REASON DESIRED.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-269 reads as rewritten:

"§ 14-269. Carrying concealed weapons.

(a) ~~It shall be~~ Except as otherwise provided by law, it is unlawful for any person willfully and intentionally to carry concealed about his or her person any bowie knife, dirk, dagger, slung shot, loaded cane, metallic knuckles, razor, shuriken, stun gun, or other deadly weapon of like kind, except when the person is on the person's own premises. For purposes of this section, the term "weapon" does not include a firearm.

(a1) ~~It shall be unlawful for any person willfully and intentionally to carry concealed about his or her person any pistol or gun except in the following circumstances:~~

(1) ~~The person is on the person's own premises.~~

(2) ~~The deadly weapon is a handgun, the person has a concealed handgun permit issued in accordance with Article 54B of this Chapter or considered valid under G.S. 14-415.24, and the person is carrying the concealed handgun in accordance with the scope of the concealed handgun permit as set out in G.S. 14-415.11(e).~~

(3) ~~The deadly weapon is a handgun and the person is a military permittee as defined under G.S. 14-415.10(2a) who provides to the law enforcement officer proof of deployment as required under G.S. 14-415.11(a).~~

(a2) ~~This prohibition does not apply to a person who has a concealed handgun permit issued in accordance with Article 54B of this Chapter, has a concealed handgun permit considered valid under G.S. 14-415.24, or is exempt from obtaining a permit pursuant to G.S. 14-415.25, provided the weapon is a handgun, is in a closed compartment or container within the person's locked vehicle, and the vehicle is in a parking area that is owned or leased by State government. A person may unlock the vehicle to enter or exit the vehicle, provided the handgun remains in the closed compartment at all times and the vehicle is locked immediately following the entrance or exit.~~

(a3) Some of the exceptions listed in subsection (b) of this section include a condition that the person have a concealed handgun permit. In those circumstances a person must still have a concealed handgun permit issued in accordance with Article 54B of Chapter 14 of the General Statutes or considered valid under G.S. 14-415.24 to qualify as an exception.



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- 1 (b) This prohibition shall not apply to the following persons:
- 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 (3a) A member of the North Carolina National Guard who has been designated in
- 9 writing by the Adjutant General, State of North Carolina, who has a concealed
- 10 handgun permit issued in accordance with Article 54B of this Chapter or
- 11 considered valid under G.S. 14-415.24, and is acting in the discharge of his or
- 12 her official duties, provided that the member does not carry a concealed weapon
- 13 while consuming alcohol or an unlawful controlled substance or while alcohol
- 14 or an unlawful controlled substance remains in the member's body.
- 15 (4) Officers of the State, or of any county, city, town, or company police agency
- 16 charged with the execution of the laws of the State, when acting in the
- 17 discharge of their official duties;
- 18 (4a) Any person who is a district attorney, an assistant district attorney, or an
- 19 investigator employed by the office of a district attorney and who has a
- 20 concealed handgun permit issued in accordance with Article 54B of this
- 21 Chapter or considered valid under G.S. 14-415.24; provided that the person
- 22 shall not carry a concealed weapon at any time while in a courtroom or while
- 23 consuming alcohol or an unlawful controlled substance or while alcohol or an
- 24 unlawful controlled substance remains in the person's body. The district
- 25 attorney, assistant district attorney, or investigator shall secure the weapon in a
- 26 locked compartment when the weapon is not on the person of the district
- 27 attorney, assistant district attorney, or investigator. Notwithstanding the
- 28 provisions of this subsection, a district attorney may carry a concealed weapon
- 29 while in a courtroom;
- 30 (4b) Any person who is a qualified retired law enforcement officer as defined in
- 31 G.S. 14-415.10 and meets any one of the following conditions:
- 32 a. Is the holder of a concealed handgun permit in accordance with Article
- 33 54B of this Chapter.
- 34 b. Is exempt from obtaining a permit pursuant to G.S. 14-415.25.
- 35 c. Is certified by the North Carolina Criminal Justice Education and
- 36 Training Standards Commission pursuant to G.S. 14-415.26;
- 37 (4c) 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 (4d) Any person who is a North Carolina district court judge, North Carolina
- 44 superior court judge, or a North Carolina magistrate and 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; provided that the person shall not carry
- 47 a concealed weapon at any time while consuming alcohol or an unlawful
- 48 controlled substance or while alcohol or an unlawful controlled substance
- 49 remains in the person's body. The judge or magistrate shall secure the weapon
- 50 in a locked compartment when the weapon is not on the person of the judge or
- 51 magistrate;

- 1 (4e) Any person who is serving as a clerk of court or as a register of deeds and who
2 has a concealed handgun permit issued in accordance with Article 54B of this
3 Chapter or considered valid under G.S. 14-415.24; provided that the person
4 shall not carry a concealed weapon at any time while consuming alcohol or an
5 unlawful controlled substance or while alcohol or an unlawful controlled
6 substance remains in the person's body. The clerk of court or register of deeds
7 shall secure the weapon in a locked compartment when the weapon is not on
8 the person of the clerk of court or register of deeds. This subdivision does not
9 apply to assistants, deputies, or other employees of the clerk of court or register
10 of deeds;
- 11 (5) Sworn law-enforcement officers, when off-duty, provided that an officer does
12 not carry a concealed weapon while consuming alcohol or an unlawful
13 controlled substance or while alcohol or an unlawful controlled substance
14 remains in the officer's body;
- 15 (6) State probation or parole certified officers, when off-duty, provided that an
16 officer does not carry a concealed weapon while consuming alcohol or an
17 unlawful controlled substance or while alcohol or an unlawful controlled
18 substance remains in the officer's body.
- 19 (7) A person employed by the Department of Public Safety who has been
20 designated in writing by the Secretary of the Department, who has a concealed
21 handgun permit issued in accordance with Article 54B of this Chapter or
22 considered valid under G.S. 14-415.24, and has in the person's possession
23 written proof of the designation by the Secretary of the Department, provided
24 that the person shall not carry a concealed weapon at any time while consuming
25 alcohol or an unlawful controlled substance or while alcohol or an unlawful
26 controlled substance remains in the person's body.
- 27 (8) Any person who is an administrative law judge described in Article 60 of
28 Chapter 7A of the General Statutes and who has a concealed handgun permit
29 issued in accordance with Article 54B of this Chapter or considered valid under
30 G.S. 14-415.24, provided that the person shall not carry a concealed weapon at
31 any time while consuming alcohol or an unlawful controlled substance or while
32 alcohol or an unlawful controlled substance remains in the person's body.
- 33 (9) State correctional officers, when off-duty, provided that an officer does not
34 carry a concealed weapon while consuming alcohol or an unlawful controlled
35 substance or while alcohol or an unlawful controlled substance remains in the
36 officer's body. If the concealed weapon is a handgun, the correctional officer
37 must meet the firearms training standards of the Division of Adult Correction of
38 the Department of Public Safety.
- 39 (b1) It is a defense to a prosecution under this section that:
- 40 (1) ~~The weapon was not a firearm;~~
- 41 (2) The defendant was engaged in, or on the way to or from, an activity in which
42 the defendant legitimately used the weapon;
- 43 (3) The defendant possessed the weapon for that legitimate use; and
- 44 (4) The defendant did not use or attempt to use the weapon for an illegal purpose.
- 45 The burden of proving this defense is on the defendant.
- 46 (b2) ~~It is a defense to a prosecution under this section that:~~
- 47 (1) ~~The deadly weapon is a handgun;~~
- 48 (2) ~~The defendant is a military permittee as defined under G.S. 14-415.10(2a); and~~
- 49 (3) ~~The defendant provides to the court proof of deployment as defined under G.S.~~
50 ~~14-415.10(3a).~~

- 1 (10) Is prohibited from possessing a firearm pursuant to 18 U.S.C. § 922(g) as a
2 result of a conviction of a misdemeanor crime of domestic violence.
- 3 (11) Has been adjudicated guilty of or received a prayer for judgment continued or
4 suspended sentence for one or more crimes involving an assault or a threat to
5 assault a law enforcement officer, probation or parole officer, person employed
6 at a State or local detention facility, firefighter, emergency medical technician,
7 medical responder, or emergency department personnel.
- 8 (12) Has had entry of a prayer for judgment continued for a criminal offense that
9 would make it unlawful under this section for the person to carry a concealed
10 weapon.
- 11 (13) Is free on bond or personal recognizance pending trial, appeal, or sentencing for
12 a crime that would make it unlawful under this section for the person to carry a
13 concealed weapon.
- 14 (14) Has been convicted of an impaired driving offense under G.S. 20-138.1,
15 20-138.2, or 20-138.3 within three years prior to the date on which the person is
16 carrying the weapon.

17 (c) Valid Identification Required; Disclosure to Law Enforcement Officer When Carrying
18 Concealed. – When carrying a concealed handgun, a person shall also carry valid identification
19 and shall disclose to any law enforcement officer that the person is carrying a concealed handgun
20 when approached or addressed by the officer and shall display the proper identification upon the
21 request of a law enforcement officer.

22 (d) Penalty. – Any person who violates subsection (b) of this section is guilty of a Class 2
23 misdemeanor for a first offense and is guilty of a Class H felony for a second or subsequent
24 offense. Any person who violates subsection (c) of this section commits an infraction and shall be
25 punished in accordance with G.S. 14-3.1.

26 **"§ 14-415.36. Unlawful to carry a concealed weapon into certain areas.**

27 (a) It is unlawful to carry a concealed weapon into the following areas unless provided
28 otherwise by law:

- 29 (1) In an area prohibited by rule adopted under G.S. 120-32.1.
30 (2) In any area prohibited by 18 U.S.C. § 922 or any other federal law.
31 (3) In a law enforcement or correctional facility.
32 (4) On any private premises where notice that carrying a concealed handgun is
33 prohibited by the posting of a conspicuous notice or statement by the person in
34 legal possession or control of the premises.

35 (b) This section shall not apply to any person listed in G.S. 14-415.41.

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

37 **SECTION 3.** G.S. 14-269.3 reads as rewritten:

38 **"§ 14-269.3. Carrying weapons into assemblies and establishments where alcoholic**
39 **beverages are sold and consumed.**

40 (a) It shall be unlawful for any person to carry any gun, rifle, or pistol into any assembly
41 where a fee has been charged for admission thereto, or into any establishment in which alcoholic
42 beverages are sold and consumed. Any person violating the provisions of this section shall be
43 guilty of a Class 1 misdemeanor.

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

- 45 (1) A person exempted from the provisions of G.S. 14-269.
46 (2) The owner or lessee of the premises or business establishment.
47 (3) A person participating in the event, if the person is carrying a gun, rifle, or
48 pistol with the permission of the owner, lessee, or person or organization
49 sponsoring the event.
50 (4) A person registered or hired as a security guard by the owner, lessee, or person
51 or organization sponsoring the event.

- 1 (5) ~~A person carrying a handgun if the person has a valid concealed handgun~~
2 ~~permit issued in accordance with Article 54B of this Chapter, has a concealed~~
3 ~~handgun permit considered valid under G.S. 14-415.24, or is exempt from~~
4 ~~obtaining a permit pursuant to G.S. 14-415.25. A person carrying a concealed~~
5 ~~handgun.~~ This subdivision shall not be construed to permit a person to carry a
6 handgun on any premises where the person in legal possession or control of the
7 premises has posted a conspicuous notice prohibiting the carrying of a
8 concealed handgun on the premises in accordance with G.S. 14-415.11(c)."

9 **SECTION 4.** G.S. 14-269.4 reads as rewritten:

10 **"§ 14-269.4. Weapons on certain State property and in courthouses.**

11 It shall be unlawful for any person to possess, or carry, whether openly or concealed, any
12 deadly weapon, not used solely for instructional or officially sanctioned ceremonial purposes in
13 the State Capitol Building, the Executive Mansion, the Western Residence of the Governor, or on
14 the grounds of any of these buildings, and in any building housing any court of the General Court
15 of Justice. If a court is housed in a building containing nonpublic uses in addition to the court, then
16 this prohibition shall apply only to that portion of the building used for court purposes while the
17 building is being used for court purposes.

18 This section shall not apply to any of the following:

- 19 (1) Repealed by S.L. 1997-238, s. 3, effective June 27, 1997.
20 (1a) A person exempted by the provisions of G.S. 14-269(b).
21 (2) through (4) Repealed by S.L. 1997-238, s. 3, effective June 27, 1997,
22 (4a) Any person in a building housing a court of the General Court of Justice in
23 possession of a weapon for evidentiary purposes, to deliver it to a
24 law-enforcement agency, or for purposes of registration.
25 (4b) Any district court judge or superior court judge who carries or possesses a
26 concealed handgun in a building housing a court of the General Court of Justice
27 if the judge is in the building to discharge his or her official duties and the
28 judge has a concealed handgun permit issued in accordance with Article 54B of
29 this Chapter or considered valid under G.S. 14-415.24.
30 (4c) Firearms in a courthouse, carried by detention officers employed by and
31 authorized by the sheriff to carry firearms.
32 (4d) Any magistrate who carries or possesses a concealed handgun in any portion of
33 a building housing a court of the General Court of Justice other than a
34 courtroom itself unless the magistrate is presiding in that courtroom, if the
35 magistrate (i) is in the building to discharge the magistrate's official duties, (ii)
36 has a concealed handgun permit issued in accordance with Article 54B of this
37 Chapter or considered valid under G.S. 14-415.24, (iii) has successfully
38 completed a one-time weapons retention training substantially similar to that
39 provided to certified law enforcement officers in North Carolina, and (iv)
40 secures the weapon in a locked compartment when the weapon is not on the
41 magistrate's person.
42 (5) State-owned rest areas, rest stops along the highways, and State-owned hunting
43 and fishing reservations.
44 (6) ~~A person with a permit issued in accordance with Article 54B of this Chapter,~~
45 ~~with a permit considered valid under G.S. 14-415.24, or who is exempt from~~
46 ~~obtaining a permit pursuant to G.S. 14-415.25, A person carrying a concealed~~
47 ~~handgun~~ who has a firearm in a closed compartment or container within the
48 person's locked vehicle or in a locked container securely affixed to the person's
49 vehicle. A person may unlock the vehicle to enter or exit the vehicle provided
50 the firearm remains in the closed compartment at all times and the vehicle is
51 locked immediately following the entrance or exit.

1 (7) Any person who carries or possesses an ordinary pocket knife, as defined in
2 G.S. 14-269(d), carried in a closed position into the State Capitol Building or
3 on the grounds of the State Capitol Building.

4 Any person violating the provisions of this section shall be guilty of a Class 1 misdemeanor."

5 **SECTION 5.** G.S. 14-277.2 reads as rewritten:

6 **"§ 14-277.2. Weapons at parades, etc., prohibited.**

7 (a) It shall be unlawful for any person participating in, affiliated with, or present as a
8 spectator at any parade, funeral procession, picket line, or demonstration upon any private health
9 care facility or upon any public place owned or under the control of the State or any of its political
10 subdivisions to willfully or intentionally possess or have immediate access to any dangerous
11 weapon. Violation of this subsection shall be a Class 1 misdemeanor. It shall be presumed that any
12 rifle or gun carried on a rack in a pickup truck at a holiday parade or in a funeral procession does
13 not violate the terms of this act.

14 (b) For the purposes of this section the term "dangerous weapon" shall include those
15 weapons specified in G.S. 14-269, 14-269.2, 14-284.1, or 14-288.8 or any other object capable of
16 inflicting serious bodily injury or death when used as a weapon.

17 (c) The provisions of this section shall not apply to a person exempted by the provisions of
18 G.S. 14-269(b) or to persons authorized by State or federal law to carry dangerous weapons in the
19 performance of their duties or to any person who obtains a permit to carry a dangerous weapon at
20 a parade, funeral procession, picket line, or demonstration from the sheriff or police chief,
21 whichever is appropriate, of the locality where such parade, funeral procession, picket line, or
22 demonstration is to take place.

23 (d) The provisions of this section shall not apply to concealed carry of a handgun at a
24 parade or funeral procession by a person with a valid permit issued in accordance with Article 54B
25 of this Chapter, with a permit considered valid under G.S. 14-415.24, or who is exempt from
26 obtaining a permit pursuant to G.S. 14-415.25. procession. This subsection shall not be construed
27 to permit a person to carry a concealed handgun on any premises where the person in legal
28 possession or control of the premises has posted a conspicuous notice prohibiting the carrying of a
29 concealed handgun on the premises in accordance with G.S. 14-415.11(c)."

30 **SECTION 6.** G.S. 14-269.1 reads as rewritten:

31 **"§ 14-269.1. Confiscation and disposition of deadly weapons.**

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

37"

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

39 **"§ 14-269.2. Weapons on campus or other educational property.**

40 ...

41 (i) The provisions of this section shall not apply to an employee of an institution of higher
42 education as defined in G.S. 116-143.1 or a nonpublic post-secondary educational institution who
43 resides on the campus of the institution at which the person is employed when all of the following
44 criteria are met:

45 (1) The employee's residence is a detached, single-family dwelling in which only
46 the employee and the employee's immediate family reside.

47 (2) The institution is either:

48 a. An institution of higher education as defined by G.S. 116-143.1.

49 b. A nonpublic post-secondary educational institution that has not
50 specifically prohibited the possession of a handgun pursuant to this
51 subsection.

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

1 immediately following the entrance or exit if the handgun is in the
 2 vehicle.

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

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

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

32"

33 **SECTION 8.** G.S. 14-401.24 reads as rewritten:

34 **"§ 14-401.24. Unlawful possession and use of unmanned aircraft systems.**

35 ...

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

37 ...

- 38 (5) Weapon. – Those weapons specified in G.S. 14-269, 14-269.2, 14-284.1, or
 39 14-288.8 and any other ~~object-object~~, including a firearm, capable of inflicting
 40 serious bodily injury or death when used as a weapon.

41"

42 **SECTION 9.** G.S. 14-409.40 reads as rewritten:

43 **"§ 14-409.40. Statewide uniformity of local regulation.**

44 ...

45 (f) Nothing contained in this section prohibits municipalities or counties from application
 46 of their authority under G.S. 153A-129, 160A-189, 14-269, 14-269.2, 14-269.3, 14-269.4,
 47 14-277.2, 14-415.35, 14-415.11, 14-415.23, including prohibiting the possession of firearms in
 48 public-owned buildings, on the grounds or parking areas of those buildings, or in public parks or
 49 recreation areas, except nothing in this subsection shall prohibit a person from storing a firearm
 50 within a motor vehicle while the vehicle is on these grounds or areas. Nothing contained in this

1 section prohibits municipalities or counties from exercising powers provided by law in states of
2 emergency declared under Article 1A of Chapter 166A of the General Statutes.

3"

4 **SECTION 10.** G.S. 14-415.4 reads as rewritten:

5 **"§ 14-415.4. Restoration of firearms rights.**

6 ...

7 (e) Disqualifiers Requiring Denial of Petition. – The court shall deny the petition to restore
8 the firearms rights of any petitioner if the court finds any of the following:

- 9 (1) The petitioner is ineligible to purchase, own, possess, or have in the person's
10 custody, care, or control a firearm under the provisions of any law in North
11 Carolina other than G.S. 14-415.1.
- 12 (2) The petitioner is under indictment for a ~~felony or a finding of probable cause~~
13 ~~exists against the petitioner for a felony.~~
- 14 (3) The petitioner is a fugitive from justice.
- 15 (4) The petitioner is an unlawful user of, or addicted to, marijuana, alcohol, or any
16 depressant, stimulant, or narcotic drug, or any other controlled substance as
17 defined in 21 U.S.C. § 802.
- 18 (5) The petitioner is or has been dishonorably discharged from the Armed Forces
19 of the United States.
- 20 (6) The petitioner is or has been adjudicated guilty of or received a prayer for
21 judgment continued or suspended sentence for one or more crimes of violence
22 constituting a misdemeanor, including a misdemeanor under Article 8 of
23 Chapter 14 of the General Statutes, or a misdemeanor under G.S. 14-225.2,
24 14-226.1, 14-258.1, 14-269.2, 14-269.3, 14-269.4, 14-269.6, 14-276.1, 14-277,
25 14-277.1, 14-277.2, 14-277.3, 14-281.1, 14-283, 14-288.2, 14-288.4(a)(1) or
26 (2), 14-288.6, 14-288.9, former 14-288.12, former 14-288.13, former
27 14-288.14, 14-288.20A, 14-318.2, 14-415.21(b), or 14-415.26(d), or a
28 substantially similar out-of-state or federal offense.

29"

30 **SECTION 11.** Article 54B of Chapter 14 of the General Statutes is amended by
31 adding a new section to read:

32 **"§ 14-415.10A. Purpose.**

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

39 **SECTION 12.** G.S. 14-415.11(a) reads as rewritten:

40 "(a) Any person who has a concealed handgun permit may carry a concealed handgun
41 unless otherwise specifically prohibited by law. The person shall carry the permit together with
42 valid identification whenever the person is carrying a concealed handgun, shall disclose to any law
43 enforcement officer that the person holds a valid permit and is carrying a concealed handgun when
44 approached or addressed by the officer, and shall display both the permit and the proper
45 identification upon the request of a law enforcement officer. ~~In addition to these requirements, a~~
46 ~~military permittee whose permit has expired during deployment may carry a concealed handgun~~
47 ~~during the 90 days following the end of deployment and before the permit is renewed provided the~~
48 ~~permittee also displays proof of deployment to any law enforcement officer."~~

49 **SECTION 13.** G.S. 14-415.22 is repealed.

50 **SECTION 14.** G.S. 74E-6 reads as rewritten:

51 **"§ 74E-6. Oaths, powers, and authority of company police officers.**

- 1 ...
2 (c) All Company Police. – Company police officers, while in the performance of their
3 duties of employment, have the same powers as municipal and county police officers to make
4 arrests for both felonies and misdemeanors and to charge for infractions on any of the following:
5 (1) Real property owned by or in the possession and control of their employer.
6 (2) Real property owned by or in the possession and control of a person who has
7 contracted with the employer to provide on-site company police security
8 personnel services for the property.
9 (3) Any other real property while in continuous and immediate pursuit of a person
10 for an offense committed upon property described in subdivisions (1) or (2) of
11 this subsection.

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

15"

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

17 **"§ 74G-6. Oaths, powers, and authority of campus police officers.**

- 18 ...
19 (d) Concealed Weapons. – Campus police officers shall have, if duly authorized by their
20 campus police agency and by the sheriff of the county in which the campus police agency is
21 located, the authority to carry concealed weapons pursuant to and in conformity with
22 ~~G.S. 14-269(b)(5).~~G.S. 14-269(b) and G.S. 14-415.35.

23"

24 **SECTION 16.** G.S. 113-136 reads as rewritten:

25 **"§ 113-136. Enforcement authority of inspectors and protectors; refusal to obey or allow**
26 **inspection by inspectors and protectors.**

- 27 ...
28 (d) Inspectors and protectors are additionally authorized to arrest without warrant under
29 the terms of G.S. 15A-401(b) for felonies, for breaches of the peace, for assaults upon them or in
30 their presence, and for other offenses evincing a flouting of their authority as enforcement officers
31 or constituting a threat to public peace and order which would tend to subvert the authority of the
32 State if ignored. In particular, they are authorized, subject to the direction of the administrative
33 superiors, to arrest for violations of G.S. 14-223, 14-225, 14-269, 14-415.35, and 14-277.

34"

35 **SECTION 17.** G.S. 14-402 through G.S. 14-405 and G.S. 14-407.1 are repealed.

36 **SECTION 18.** This act becomes effective December 1, 2017.