GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2005

S SENATE DRS55155-LG-169A (03/15)

Short Title:	Trafficking of Illegal Handguns Commission.	(Public)
Sponsors:	Senator Rand.	
Referred to:		

1 A BILL TO BE ENTITLED

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AN ACT ESTABLISHING THE STUDY COMMISSION ON THE TRAFFICKING OF ILLEGAL HANDGUNS.

Whereas, over one-half of all handguns used in crimes in North Carolina are acquired illegally; and

Whereas, North Carolina is the fifth largest source of handguns used in crimes in the United States; and

Whereas, North Carolina is the second largest supplier of handguns to the State of New York; and

Whereas, the trafficking of illegal handguns is connected with other unlawful conduct and spawns other unlawful conduct; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1.(a) Commission Established. – There is created the Commission on the Trafficking of Illegal Handguns.

SECTION 1.(b) Membership. – The Commission shall be composed of 18 members as follows:

- (1) Four members of the Senate appointed by the President Pro Tempore of the Senate.
- (2) Four members of the House of Representatives appointed by the Speaker of the House of Representatives.
- (3) The Attorney General, or designee.
- 22 (4) The Secretary of the Department of Crime Control and Public Safety, or designee.
 - (5) The Director of the State Bureau of Investigation, or designee.
- 25 (6) A representative of the North Carolina Sheriffs' Association, Inc.
 - (7) A representative of the North Carolina Association of Chiefs of Police.

- 1 (8) A representative of the Conference of District Attorneys of North Carolina.
 - (9) Two public members, not affiliated with any organization that is for or against gun regulation, appointed by the Governor.
 - (10) One member of the general public appointed by the President Pro Tempore of the Senate.
 - (11) One member of the general public appointed by the Speaker of the House of Representatives.

The appointing authorities shall make their appointments within 60 days of the effective date of this act.

SECTION 1.(c) Duties of the Commission. – The Commission shall study all aspects of trafficking illegal handguns. The study shall include an examination of all of the following:

- (1) How criminals unlawfully obtain and traffic in guns, particularly handguns, including the primary sources of lawfully purchased guns that subsequently enter unlawful commerce.
- (2) Whether the current system of regulating the sale and transfer of guns adequately prevents criminals from obtaining and trafficking handguns.
- (3) The crimes that are connected to the trafficking of illegal handguns.
- (4) Review the regulation of the sales of handguns at gun shows and other events.
- (5) Whether the current system of collecting, coordinating, and disseminating information on guns and guns used in crimes adequately assists law enforcement agencies in their duties.
- (6) Any other issues the Commission considers appropriate.

In its examination, the Commission shall focus on the ways and means to prevent criminals from obtaining and trafficking in handguns.

SECTION 1.(d) Vacancies. – The appointing authority shall fill any vacancy on the Commission.

SECTION 1.(e) Organization. – The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall designate Cochairs of the Commission. The Commission shall meet upon the call of the Cochairs. A majority of the members of the Commission shall constitute a quorum.

SECTION 1.(f) Expenses of Members. – Members of the Commission shall receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1, 138-5, or 138-6, as appropriate.

SECTION 1.(g) Staff. – The Legislative Services Commission shall assign professional and clerical staff to assist the Commission in its work.

SECTION 1.(h) Consultants. – The Commission may hire consultants to assist with the study. Before expending any funds for a consultant, the Commission shall report to the Joint Legislative Commission on Governmental Operations on the consultant selected, the work products to be provided by the consultant, and the cost of the contract, including an itemization of the cost components.

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SECTION 1.(i) Cooperation. – The Commission may call upon any department, agency, institution, or officer of the State or any political subdivision thereof for facilities, data, or other assistance.

SECTION 1.(j) Meetings During Legislative Session. – The Commission may meet during regular or extra sessions of the General Assembly, subject to approval of the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

SECTION 1.(k) Meeting Location. – The Commission may meet at various locations around the State. The Legislative Services Commission shall grant adequate meeting space to the Commission in the State Legislative Building or Legislative Office Building.

SECTION 1.(1) Reports. – The Commission may make an interim report and shall make a final report to the 2007 Session of the General Assembly. In making its findings and conclusions, the Commission shall balance the burden on law-abiding citizens with the benefit of any recommendation. The Commission shall terminate January 20, 2007.

SECTION 1.(m) Appropriation. – Of the funds appropriated to the General Assembly, the Legislative Services Commission shall allocate sufficient funds for the expenses of the Commission.

SECTION 2. This act is effective when it becomes law.

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