

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

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**HOUSE BILL 36
Committee Substitute Favorable 2/8/23**

Short Title: Firearms Training/Probation & Parole Officers.

(Public)

Sponsors:

Referred to:

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.



- 1 c. The individual meets any requirements established by the Division of
- 2 Community Supervision and Reentry of the Department of Adult
- 3 Correction regarding handguns.
- 4 ~~(4a)~~(4b) Qualified retired correctional officer. – An individual who retired from
- 5 service as a State correctional officer, other than for reasons of mental
- 6 disability, who has been retired as a correctional officer two years or less from
- 7 the date of the permit application and who meets all of the following criteria:
- 8 a. Immediately before retirement, the individual met firearms training
- 9 standards of the Division of Prisons of the Department of Adult
- 10 Correction and was authorized by the Division of Prisons of the
- 11 Department of Adult Correction to carry a handgun in the course of
- 12 assigned duties.
- 13 b. The individual retired in good standing and was never a subject of a
- 14 disciplinary action by the Division of Prisons of the Department of
- 15 Adult Correction that would have prevented the individual from
- 16 carrying a handgun.
- 17 c. The individual has a vested right to benefits under the Teachers' and
- 18 State Employees' Retirement System of North Carolina established
- 19 under Article 1 of Chapter 135 of the General Statutes.
- 20 d. The individual is not prohibited by State or federal law from receiving
- 21 a firearm.
- 22 ~~(4b)~~(4c) Qualified retired law enforcement officer. – An individual who meets the
- 23 definition of "qualified retired law enforcement officer" contained in section
- 24 926C of Title 18 of the United States Code.
- 25 ~~(4e)~~(4d) Qualified retired probation or parole certified officer. – An individual who
- 26 retired from service as a State probation or parole certified officer, other than
- 27 for reasons of mental disability, who has been retired as a probation or parole
- 28 certified officer two years or less from the date of the permit application and
- 29 who meets all of the following criteria:
- 30 a. Immediately before retirement, the individual met firearms training
- 31 standards of the Division of Community Supervision and Reentry of
- 32 the Department of Adult Correction and was authorized by the
- 33 Division of Community Supervision and Reentry of the Department
- 34 of Adult Correction to carry a handgun in the course of duty.
- 35 b. The individual retired in good standing and was never a subject of a
- 36 disciplinary action by the Division of Community Supervision and
- 37 Reentry of the Department of Adult Correction that would have
- 38 prevented the individual from carrying a handgun.
- 39 c. The individual has a vested right to benefits under the Teachers' and
- 40 State Employees' Retirement System of North Carolina established
- 41 under Article 1 of Chapter 135 of the General Statutes.
- 42 d. The individual is not prohibited by State or federal law from receiving
- 43 a firearm.

44 "

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

46 "(a) A person who is a qualified sworn law enforcement officer, a qualified former sworn

47 law enforcement officer, a qualified retired correctional officer, a qualified probation or parole

48 certified officer, or a qualified retired probation or parole certified officer is deemed to have

49 satisfied the requirement under G.S. 14-415.12(a)(4) that an applicant successfully complete an

50 approved firearms safety and training course."

51 **SECTION 3.** G.S. 17C-6(a)(16) reads as rewritten:

1 "(16) Establish standards and guidelines for the annual firearms certification of
2 qualified retired law enforcement officers, as defined in ~~G.S. 14-415.10(4b)~~,
3 G.S. 14-415.10(4c), to efficiently implement the provisions of
4 G.S. 14-415.25. The standards shall provide for the courses, qualifications,
5 and the issuance of the annual firearms qualification certification. The
6 Commission may adopt any rules necessary to effect the provisions of this
7 section, and may charge a reasonable fee to applicants for the costs incurred
8 in compliance with this subdivision."
9 **SECTION 4.** This act is effective when it becomes law and applies to permit
10 applications submitted on or after that date.