

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 1415
Committee Substitute Favorable 5/19/05

Short Title: Report Denial of Some Pistol Permits.

(Public)

Sponsors:

Referred to:

April 21, 2005

A BILL TO BE ENTITLED

1
2 AN ACT TO PROVIDE THAT DENIAL OF A LICENSE OR PERMIT TO
3 PURCHASE A PISTOL SHALL BE REPORTED TO THE STATE BUREAU OF
4 INVESTIGATION TO BE ENTERED INTO AN APPROPRIATE
5 COMPUTERIZED DATABASE THAT IS ACCESSIBLE TO SHERIFFS
6 STATEWIDE.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Article 52A of Chapter 14 of the General Statutes is amended
9 by adding a new section to read:

10 **"§ 14-404.1. Report denial of license or permit in certain circumstances to SBI for**
11 **entry into State computerized database.**

12 (a) If a sheriff declines to issue a permit as provided by G.S. 14-404(b), the
13 sheriff shall notify the State Bureau of Investigation and provide all of the following
14 information to the State Bureau of Investigation for entry into a State computerized
15 database designated by the State Bureau of Investigation:

16 (1) A statement that the license or permit was denied in accordance with
17 G.S. 14-404(b).

18 (2) The date of the denial.

19 (3) The county in which the license or permit was denied.

20 (4) Sufficient information to identify the applicant.

21 (b) The State Bureau of Investigation shall enter any information provided to it in
22 compliance with subsection (a) of this section into the appropriate State computer
23 database within 24 hours of its receipt and in such a manner that a notation of the denial
24 will appear in any subsequent record check conducted in accordance with this Article.

25 (c) If a person successfully appeals the denial of a permit as provided by
26 G.S. 14-404(b), then the person may provide the sheriff with an official copy of the
27 court's determination and request in writing that the sheriff remove the notation
28 regarding the denial of the person's application for a permit from the appropriate State
29 computerized database. The sheriff shall notify the State Bureau of Investigation of any

1 request made in compliance with this subsection within 24 hours of the receipt of the
2 request. The State Bureau of Investigation shall remove the notation within 24 hours of
3 its receipt of the request from the sheriff."

4 **SECTION 2.** By October 1, 2005, the State Bureau of Investigation shall
5 identify a State computerized database that is easily accessible and available to sheriffs
6 statewide and that is appropriate for the information provided in G.S. 14-404.1(a). The
7 State Bureau of Investigation shall notify the sheriff of each county which database has
8 been designated and how to access the database within 10 days after designating the
9 State computerized database.

10 **SECTION 3.** Section 1 of this act becomes effective December 1, 2005. The
11 remainder of this act is effective when it becomes law.