A BILL TO BE ENTITLED
AN ACT TO ALLOW PERSONS WITH CONCEALED HANDGUN PERMITS TO
POSSESS HANDGUNS IN RESTAURANTS UNLESS A NOTICE PROHIBITING
POSSESSION ON THE PREMISES IS POSTED; TO MAKE IT UNLAWFUL FOR
FELONS TO POSSESS AMMUNITION, CERTAIN WEAPONS IN ADDITION TO
FIREARMS, AND TO CARRY ANY CONCEALED WEAPON; AND TO CLARIFY
THE LAW ON LOCAL GOVERNMENT AUTHORITY TO PROHIBIT CONCEALED
CARRY OF FIREARMS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-269.3(b) is amended by adding a new subdivision to read:

"(5) A person on the premises of an eating establishment as defined in
G.S. 18B-1000(2), or a restaurant as defined in G.S. 18B-1000(6), provided
the person has a valid concealed handgun permit under Article 54B of
Chapter 14 of the General Statutes. This subdivision shall not be construed
to permit a person to carry a concealed handgun on the premises of an eating
establishment or a restaurant where the person in legal possession or control
of the premises has posted a conspicuous notice prohibiting the carrying of a
concealed handgun on the premises in accordance with G.S. 14-415.11(c)."

SECTION 2. G.S. 14-415.1 reads as rewritten:

"§ 14-415.1. Possession of firearms, etc., by felon prohibited.
(a) It shall be unlawful for any person who has been convicted of a felony to purchase,
own, possess, or have in his custody, care, or control any firearm, any weapon of
mass death and destruction as defined in G.S. 14-288.8(c), G.S. 14-288.8(e), any ammunition,
or any electric weapon or electric device intended to be used as a weapon. It is also unlawful
for any person who has been convicted of a felony to carry a concealed weapon, including a
tear gas gun or similar device intended to be used as a weapon.

For the purposes of this section, a firearm is (i) any weapon, including a starter gun, which
will or is designed to or may readily be converted to expel a projectile by the action of an
explosive, or its frame or receiver, or (ii) any firearm muffler or firearm silencer. This section
does not apply to an antique firearm, as defined in G.S. 14-409.11.

Every person violating the provisions of this section shall be punished as a Class G felon.

(a1) Unless the conduct is covered under some other provision of law providing greater
punishment:

(1) A person who violates this section is guilty of a Class G felony.
A person who violates this section and discharges the firearm, electric
weapon or device, or any other weapon described in subsection (a) of this
section is guilty of a Class E felony.

A person who violates this section is guilty of a Class D felony if the
violation results in serious injury to a person.

A person who violates this section is guilty of a Class C felony if the
violation results in serious bodily injury to a person.

For the purposes of this section, "serious bodily injury" has the same definition as
that term is defined in G.S. 14-32.4(a), and "serious injury" means a lesser degree of physical
harm than serious bodily injury which includes, but is not limited to, bruises, lacerations,
sprains, broken bones, or any other indications of physical injury of a type which do not
constitute serious bodily injury.

SECTION 3. G.S. 14-415.23 reads as rewritten:

"§ 14-415.23. Statewide uniformity.

(a) It is the intent of the General Assembly to prescribe a uniform system for the
regulation of legally carrying a concealed handgun. To insure uniformity, no political
subdivisions, boards, or agencies of the State nor any county, city, municipality, municipal
corporation, town, township, village, nor any department or agency thereof, may enact
ordinances, rules, or regulations concerning legally carrying a concealed handgun. A unit of
local government may adopt an ordinance to permit the posting of a prohibition against
carrying a concealed handgun, in accordance with G.S. 14-415.11(c), on local government
buildings and their appurtenant premises.

(b) A unit of local government may adopt an ordinance to prohibit, by posting, the
carrying of a concealed handgun on municipal and county recreational facilities that are
specifically identified by the unit of local government. If a unit of local government adopts
such an ordinance with regard to recreational facilities, then the concealed handgun permittee
may, nevertheless, secure the handgun in a locked vehicle within the trunk, glove box, or other
enclosed compartment or area within or on the motor vehicle.

(c) For purposes of this section, the term "recreational facilities" includes only the
following: a playground, an athletic field, a swimming pool, and an athletic facility.

(1) An athletic field, including any appurtenant facilities such as restrooms,
during an organized athletic event if the field had been scheduled for use
with the municipality or county office responsible for operation of the park
or recreational area.

(2) A swimming pool, including any appurtenant facilities used for dressing,
storage of personal items, or other uses relating to the swimming pool.

(3) A facility used for athletic events, including, but not limited to, a
gymnasium.

(d) For the purposes of this section, the term "recreational facilities" does not include
any greenway, designated biking or walking path, an area that is customarily used as a
walkway or bike path although not specifically designated for such use, open areas or fields
where athletic events may occur unless the area qualifies as an "athletic field" pursuant to
subdivision (1) of subsection (c) of this section, and any other area that is not specifically
described in subsection (c) of this section."

SECTION 4. Section 1 of this act becomes effective January 1, 2014; Section 2 of
this act becomes effective December 1, 2013, and applies to offenses committed on or after that
date. The remainder of this act is effective when it becomes law.