

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 201

Short Title: NC Constitutional Carry Act. (Public)

Sponsors: Representative Millis.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary I, if favorable, Finance

March 1, 2017

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



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1 concealed handgun permit issued in accordance with Article 54B of Chapter 14 of the General
2 Statutes or considered valid under G.S. 14-415.24 to qualify as an exception.

3 (b) This prohibition shall not apply to the following persons:

4 (1) Officers and enlisted personnel of the Armed Forces of the United States when
5 in discharge of their official duties as such and acting under orders requiring
6 them to carry arms and weapons;

7 (2) Civil and law enforcement officers of the United States;

8 (3) Officers and soldiers of the militia and the National Guard when called into
9 actual service;

10 (3a) A member of the North Carolina National Guard who has been designated in
11 writing by the Adjutant General, State of North Carolina, who has a concealed
12 handgun permit issued in accordance with Article 54B of this Chapter or
13 considered valid under G.S. 14-415.24, and is acting in the discharge of his or
14 her official duties, provided that the member does not carry a concealed weapon
15 while consuming alcohol or an unlawful controlled substance or while alcohol
16 or an unlawful controlled substance remains in the member's body.

17 (4) Officers of the State, or of any county, city, town, or company police agency
18 charged with the execution of the laws of the State, when acting in the
19 discharge of their official duties;

20 (4a) Any person who is a district attorney, an assistant district attorney, or an
21 investigator employed by the office of a district attorney and who has a
22 concealed handgun permit issued in accordance with Article 54B of this
23 Chapter or considered valid under G.S. 14-415.24; provided that the person
24 shall not carry a concealed weapon at any time while in a courtroom or while
25 consuming alcohol or an unlawful controlled substance or while alcohol or an
26 unlawful controlled substance remains in the person's body. The district
27 attorney, assistant district attorney, or investigator shall secure the weapon in a
28 locked compartment when the weapon is not on the person of the district
29 attorney, assistant district attorney, or investigator. Notwithstanding the
30 provisions of this subsection, a district attorney may carry a concealed weapon
31 while in a courtroom;

32 (4b) Any person who is a qualified retired law enforcement officer as defined in
33 G.S. 14-415.10 and meets any one of the following conditions:

34 a. Is the holder of a concealed handgun permit in accordance with Article
35 54B of this Chapter.

36 b. Is exempt from obtaining a permit pursuant to G.S. 14-415.25.

37 c. Is certified by the North Carolina Criminal Justice Education and
38 Training Standards Commission pursuant to G.S. 14-415.26;

39 (4c) Detention personnel or correctional officers employed by the State or a unit of
40 local government who park a vehicle in a space that is authorized for their use
41 in the course of their duties may transport a firearm to the parking space and
42 store that firearm in the vehicle parked in the parking space, provided that: (i)
43 the firearm is in a closed compartment or container within the locked vehicle, or
44 (ii) the firearm is in a locked container securely affixed to the vehicle;

45 (4d) Any person who is a North Carolina district court judge, North Carolina
46 superior court judge, or a North Carolina magistrate and who has a concealed
47 handgun permit issued in accordance with Article 54B of this Chapter or
48 considered valid under G.S. 14-415.24; provided that the person shall not carry
49 a concealed weapon at any time while consuming alcohol or an unlawful
50 controlled substance or while alcohol or an unlawful controlled substance
51 remains in the person's body. The judge or magistrate shall secure the weapon

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

(3) ~~The defendant provides to the court proof of deployment as defined under G.S. 14-415.10(3a).~~

(c) ~~Any Except as otherwise provided by law, any person violating the provisions of subsection (a) of this section shall be guilty of a Class 2 misdemeanor. Any person violating the provisions of subsection (a1) of this section shall be guilty of a Class 2 misdemeanor for the first offense and a Class H felony for a second or subsequent offense. A violation of subsection (a1) of this section punishable under G.S. 14-415.21(a) is not punishable under this section.~~

(d) This section does not apply to an ordinary pocket knife carried in a closed position. As used in this section, "ordinary pocket knife" means a small knife, designed for carrying in a pocket or purse, that has its cutting edge and point entirely enclosed by its handle, and that may not be opened by a throwing, explosive, or spring action."

SECTION 2. Chapter 14 of the General Statutes is amended by adding a new Article to read:

"Article 54C.

"Carrying Concealed Handguns.

"§ 14-415.35. Carrying concealed handguns.

(a) Carrying Concealed Handgun. – Any person who is a citizen of the United States and is at least 18 years old may carry a concealed handgun in this State unless provided otherwise by law.

(b) Offense. – It is unlawful for a person who meets any of the following criteria to carry a concealed handgun:

(1) Is ineligible to own, possess, or receive a firearm under the provisions of State or federal law.

(2) Is under indictment for a felony.

(3) Has been adjudicated guilty in any court of a felony, unless (i) the felony is an offense that pertains to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses related to the regulation of business practices, or (ii) the person's firearms rights have been restored pursuant to G.S. 14-415.4 or have been restored in another state pursuant to the laws of that state.

(4) Is a fugitive from justice.

(5) Is an unlawful user of, or addicted to, marijuana, alcohol, or any depressant, stimulant, or narcotic drug, or any other controlled substance as defined in 21 U.S.C. § 802.

(6) Is currently or has been previously adjudicated by a court to be lacking mental capacity or mentally ill. Receipt of previous consultative services or outpatient treatment alone shall not disqualify any citizen under this subdivision.

(7) Is or has been discharged from the Armed Forces of the United States under conditions other than honorable.

(8) Except as provided in subdivision (9), (10), or (11) of this subsection, is or has been adjudicated guilty of or received a prayer for judgment continued or suspended sentence for one or more crimes of violence constituting a misdemeanor, including, but not limited to, a violation of a misdemeanor under Article 8 of Chapter 14 of the General Statutes except for a violation of G.S. 14-33(a), or a violation of a misdemeanor under G.S. 14-226.1, 4-258.1, 14-269.2, 14-269.6, 14-277, 14-277.1, 14-283 except for a violation involving fireworks exempted under G.S. 14-414, 14-288.2, 14-288.4(a)(1), 14-288.6, 14-288.9, former 14-288.12, former 14-288.13, former 14-288.14, 14-415.21(b), 14-415.26(d) within three years prior to the date on which the application is submitted, 14-415.36, 14-415.37, 14-415.38, or 14-415.39.

(9) Is or has been adjudicated guilty of or received a prayer for judgment continued or suspended sentence for one or more crimes of violence constituting a

1 misdemeanor under G.S. 14-33(c)(1), 14-33(c)(2), 14-33(c)(3), 14-33(d),
2 14-277.3A, 14-318.2, 14-134.3, 50B-4.1, or former G.S. 14-277.3.

3 (10) Is prohibited from possessing a firearm pursuant to 18 U.S.C. § 922(g) as a
4 result of a conviction of a misdemeanor crime of domestic violence.

5 (11) Has been adjudicated guilty of or received a prayer for judgment continued or
6 suspended sentence for one or more crimes involving an assault or a threat to
7 assault a law enforcement officer, probation or parole officer, person employed
8 at a State or local detention facility, firefighter, emergency medical technician,
9 medical responder, or emergency department personnel.

10 (12) Has had entry of a prayer for judgment continued for a criminal offense that
11 would make it unlawful under this section for the person to carry a concealed
12 weapon.

13 (13) Is free on bond or personal recognizance pending trial, appeal, or sentencing for
14 a crime that would make it unlawful under this section for the person to carry a
15 concealed weapon.

16 (14) Has been convicted of an impaired driving offense under G.S. 20-138.1,
17 20-138.2, or 20-138.3 within three years prior to the date on which the person is
18 carrying the weapon.

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

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

28 **"§ 14-415.36. Unlawful to carry a concealed weapon into certain areas.**

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

31 (1) In an area prohibited by rule adopted under G.S. 120-32.1.

32 (2) In any area prohibited by 18 U.S.C. § 922 or any other federal law.

33 (3) In a law enforcement or correctional facility.

34 (4) On any private premises where notice that carrying a concealed handgun is
35 prohibited by the posting of a conspicuous notice or statement by the person in
36 legal possession or control of the premises.

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

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

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

40 **"§ 14-269.3. Carrying weapons into assemblies and establishments where alcoholic**
41 **beverages are sold and consumed.**

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

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

47 (1) A person exempted from the provisions of G.S. 14-269.

48 (2) The owner or lessee of the premises or business establishment.

49 (3) A person participating in the event, if the person is carrying a gun, rifle, or
50 pistol with the permission of the owner, lessee, or person or organization
51 sponsoring the event.

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

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

12 **"§ 14-269.4. Weapons on certain State property and in courthouses.**

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

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

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

1 the firearm remains in the closed compartment at all times and the vehicle is
2 locked immediately following the entrance or exit.

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

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

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

8 **"§ 14-277.2. Weapons at parades, etc., prohibited.**

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

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

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

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

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

33 **"§ 14-269.1. Confiscation and disposition of deadly weapons.**

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

39

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

41 **"§ 14-269.2. Weapons on campus or other educational property.**

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

- 47 (1) The employee's residence is a detached, single-family dwelling in which only
48 the employee and the employee's immediate family reside.
49 (2) The institution is either:
50 a. An institution of higher education as defined by G.S. 116-143.1.

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

1 compartment of the employee's locked vehicle. The employee may
 2 unlock the vehicle to enter or exit, but must lock the vehicle
 3 immediately following the entrance or exit if the handgun is in the
 4 vehicle.

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

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

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

34"

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

36 **"§ 14-401.24. Unlawful possession and use of unmanned aircraft systems.**

37 ...

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

39 ...

- 40 (5) Weapon. – Those weapons specified in G.S. 14-269, 14-269.2, 14-284.1, or
 41 14-288.8 and any other ~~object~~ object, including a firearm, capable of inflicting
 42 serious bodily injury or death when used as a weapon.

43"

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

45 **"§ 14-409.40. Statewide uniformity of local regulation.**

46 ...

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

1 within a motor vehicle while the vehicle is on these grounds or areas. Nothing contained in this
2 section prohibits municipalities or counties from exercising powers provided by law in states of
3 emergency declared under Article 1A of Chapter 166A of the General Statutes.

4"

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

6 "**§ 14-415.4. Restoration of firearms rights.**

7 ...

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

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

30"

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

33 "**§ 14-415.10A. Purpose.**

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

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

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

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

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

1 "§ 74E-6. Oaths, powers, and authority of company police officers.

2 ...
3 (c) All Company Police. – Company police officers, while in the performance of their
4 duties of employment, have the same powers as municipal and county police officers to make
5 arrests for both felonies and misdemeanors and to charge for infractions on any of the following:

6 (1) Real property owned by or in the possession and control of their employer.

7 (2) Real property owned by or in the possession and control of a person who has
8 contracted with the employer to provide on-site company police security
9 personnel services for the property.

10 (3) Any other real property while in continuous and immediate pursuit of a person
11 for an offense committed upon property described in subdivisions (1) or (2) of
12 this subsection.

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

16"

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

18 "§ 74G-6. Oaths, powers, and authority of campus police officers.

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

24"

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

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

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

35"

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

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