

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 715
Committee Substitute Favorable 5/3/93

Short Title: Martin Pistol Permit Fee.

(Local)

Sponsors:

Referred to:

April 1, 1993

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PISTOL PERMIT FEE IN MARTIN COUNTY AND
PITT COUNTY FROM FIVE DOLLARS TO TWENTY DOLLARS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-404 reads as rewritten:

"§ 14-404. Issuance or refusal of permit; appeal from refusal; grounds for refusal; sheriff's fee.

Upon application, the sheriff shall issue such license or permit to a resident of that county unless the purpose of the permit is for collecting, in which case a sheriff can issue a permit to a nonresident when the sheriff shall have fully satisfied himself by affidavits, oral evidence, or otherwise, as to the good moral character of the applicant therefor, and that such person, firm, or corporation desires the possession of the weapon mentioned for (i) the protection of the home, business, person, family or property, (ii) target shooting, (iii) collecting, or (iv) hunting. If said sheriff shall not be so fully satisfied, he may, for good cause shown, decline to issue said license or permit and shall provide to said applicant within seven days of such refusal a written statement of the reason(s) for such refusal. An appeal from such refusal shall lie by way of petition to the chief judge of the district court for the district in which the application was filed. The determination by the court, on appeal, shall be upon the facts, the law, and the reasonableness of the sheriff's refusal, and shall be final. A permit may not be issued to the following persons: (i) one who is under an indictment or information for or has been convicted in any state, or in any court of the United States, of a felony (other than

1 an offense pertaining to antitrust violations, unfair trade practices, or restraints of trade),
2 except that if a person has been convicted and later pardoned or is not prohibited from
3 purchasing a firearm under the Felony Firearms Act (Article 54A of this Chapter), he
4 may obtain a permit; (ii) one who is a fugitive from justice; (iii) one who is an unlawful
5 user of or addicted to marijuana or any depressant, stimulant, or narcotic drug (as
6 defined in 21 U.S.C. section 802); (iv) one who has been adjudicated incompetent on
7 the ground of mental illness or has been committed to any mental institution. Provided,
8 that nothing in this Article shall apply to officers authorized by law to carry firearms if
9 such officers identify themselves to the vendor or donor as being officers authorized by
10 law to carry firearms and state that the purpose for the purchase of the firearms is
11 directly related to the law officers' official duties. The sheriff shall charge for his
12 services upon issuing such license or permit a fee of ~~five dollars (\$5.00)~~ twenty dollars
13 (\$20.00). Each applicant for any such license or permit shall be informed by said sheriff
14 within 30 days of the date of such application whether such license or permit will be
15 granted or denied and, if granted, such license or permit shall be immediately issued to
16 said applicant."

17 Sec. 2. This act applies only to Martin County and Pitt County.

18 Sec. 3. This act is effective upon ratification and applies to permits applied
19 for on or after that date.