

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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HOUSE BILL 165

Short Title: Local Gun Control Laws.

(Public)

Sponsors: Representatives Joye; Spears, Hill, and Lemmond.

Referred to: Judiciary I.

February 14, 1994

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT COUNTIES AND CITIES FROM IMPOSING CERTAIN
3 RESTRICTIONS ON THE OWNERSHIP, REGISTRATION, PURCHASE, SALE,
4 TRANSFER, TRANSPORTATION, OR POSSESSION OF PISTOLS OR OTHER
5 FIREARMS, AMMUNITION FOR THESE FIREARMS, OR COMPONENTS OF
6 THESE FIREARMS.

7 The General Assembly of North Carolina enacts:

8 Section 1. Chapter 153A of the General Statutes is amended by adding a new
9 Article to read:

10 **"ARTICLE 21.**
11 **"FIREARMS AND AMMUNITION.**

12 **"§ 153A-406. Regulation of pistols or other firearms.**

13 A county shall not impose special taxation on, enact any ordinance pertaining to, or
14 regulate in any manner the ownership, registration, purchase, sale, transfer,
15 transportation, or possession of pistols or other firearms, ammunition for pistols or other
16 firearms, or components of pistols or other firearms, except as otherwise provided by
17 federal or State law.

18 **"§ 153A-407. Prohibitions or regulations allowed.**

19 This Article does not prohibit a county from:

- 20 (1) Prohibiting or regulating conduct with a pistol or other firearm that is a
21 criminal offense under State law.
- 22 (2) Prohibiting or regulating the transportation, carrying, or possession of
23 pistols and other firearms by employees of the county in the course of
24 their employment.

- 1 (3) Prohibiting or regulating the transportation, carrying, or possession of
2 pistols and other firearms on property owned by the county.
3 (4) Prohibiting or regulating the discharge of a pistol or other firearm
4 within the jurisdiction of that county."

5 Sec. 2. Chapter 160A of the General Statutes is amended by adding a new
6 Article to read:

7 "**ARTICLE 26.**

8 "**FIREARMS AND AMMUNITION.**

9 "**§ 160A-600. Regulation of pistols or other firearms.**

10 A city shall not impose special taxation on, enact any ordinance pertaining to, or
11 regulate in any manner the ownership, registration, purchase, sale, transfer,
12 transportation, or possession of pistols or other firearms, ammunition for pistols or other
13 firearms, or components of pistols or other firearms, except as otherwise provided by
14 federal or State law.

15 "**§ 160A-601. Prohibitions or regulations allowed.**

16 This Article does not prohibit a city from:

- 17 (1) Prohibiting or regulating conduct with a pistol or other firearm that is a
18 criminal offense under State law.
19 (2) Prohibiting or regulating the transportation, carrying, or possession of
20 pistols and other firearms by employees of the city in the course of
21 their employment.
22 (3) Prohibiting or regulating the transportation, carrying, or possession of
23 pistols and other firearms on property owned by the city.
24 (4) Prohibiting or regulating the discharge of a pistol or other firearm
25 within the jurisdiction of that city."

26 Sec. 3. This act becomes effective October 15, 1994, and applies to any
27 ordinances or regulations adopted on or after that date.