

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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HOUSE BILL 82

Short Title: Sell Handgun to Minor - Felony.

(Public)

Sponsors: Representatives Justus; Berry, Bowman, J. Brown, Brubaker, Creech, Culp, Daughtry, Decker, Gottovi, Grady, Hayes, Ives, Lemmond, McCombs, Mitchell, Nichols, J. Preston, Sexton, Wilson, and Wood.

Referred to: Judiciary I.

February 11, 1994

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT A PERSON WHO SELLS A HANDGUN TO A MINOR IS GUILTY OF A CLASS E FELONY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-315 reads as rewritten:

"§ 14-315. (Effective January 1, 1995) Selling or giving weapons to minors.

(a) ~~Offense Weapons Other than Handguns.~~ – If any person ~~shall sell, offer, sells,~~ offers for sale, ~~give gives,~~ or in any way ~~dispose disposes~~ of to a minor any ~~handgun as defined in G.S. 14-269.7, pistol, pistol cartridge, brass knucks, bowie knife, dirk, shurikin, leaded cane-cane,~~ or slungshot, ~~he the person~~ shall be guilty of a Class 1 misdemeanor ~~and and, in addition,~~ shall forfeit the proceeds of any sale made in violation of this section.

(a1) Handguns. – If any person sells, offers for sale, gives, or in any way disposes of to a minor any handgun as defined in G.S. 14-269.7, the person shall be guilty of a Class E felony and, in addition, shall forfeit the proceeds of any sale made in violation of this section.

(b) Defense. – It shall be a defense to a violation of ~~subsection (a) of this section~~ if the person:

- (1) Shows that the minor produced a drivers license, a special identification card issued under G.S. 20-37.7, a military identification card, or a passport, showing his age to be at least the required age for

1 purchase and bearing a physical description of the person named on
2 the card reasonably describing the minor; or
3 (2) Produces evidence of other facts that reasonably indicated at the time
4 of sale that the minor was at least the required age."

5 Sec. 2. This act becomes effective January 1, 1995, and applies to offenses
6 committed on or after that date.