

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 958

Short Title: Concealed Handgun Laws Amend.

(Public)

Sponsors: Representative Hightower.

Referred to: Judiciary I.

April 16, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE CONCEALED HANDGUN LAWS.

3 The General Assembly of North Carolina enacts:

4 Section 1. G.S. 14-269(b) reads as rewritten:

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

- 6 (1) Officers and enlisted personnel of the armed forces of the United States
7 when in discharge of their official duties as such and acting under orders
8 requiring them to carry arms and weapons;
- 9 (2) Civil officers of the United States while in the discharge of their official
10 duties;
- 11 (3) Officers and soldiers of the militia and the national guard when called
12 into actual service;
- 13 (4) Officers of the State, or of any county, city, or town, charged with the
14 execution of the laws of the State, when acting in the discharge of their
15 official duties;
- 16 (5) Sworn law-enforcement officers, when off-duty, if:
17 a. Written regulations authorizing the carrying of concealed
18 weapons have been filed with the clerk of superior court in the
19 county where the law-enforcement unit is located by the sheriff
20 or chief of police or other superior officer in charge; and

1 b. Such regulations specifically prohibit the carrying of concealed
2 weapons while the officer is consuming or under the influence of
3 alcoholic beverages.

4 c. The location into which the officer carries the concealed handgun
5 is not specifically prohibited by State or federal law."

6 Section 2. G.S. 14-269.2(g) reads as rewritten:

7 "(g) This section shall not apply to:

8 (1) A weapon used solely for educational or school-sanctioned ceremonial
9 purposes, or used in a school-approved program conducted under the
10 supervision of an adult whose supervision has been approved by the
11 school authority;

12 (1a) A person exempted from the provisions of G.S. 14-269(b);

13 (2) ~~Armed forces personnel, officers and soldiers of the militia and national~~
14 ~~guard, law enforcement personnel, fire fighters, Firefighters, emergency~~
15 service personnel, North Carolina Forest Service personnel, and any
16 private police employed by an educational institution, when acting in
17 the discharge of their official duties; or

18 (3) Home schools as defined in G.S. 115C-563(a)."

19 Section 3. G.S. 14-269.4 reads as rewritten:

20 "**§ 14-269.4. Weapons on State property and in courthouses.**

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

29 This section shall not apply to:

30 (1) ~~Officers and enlisted personnel of the armed forces when in the~~
31 ~~discharge of their official duties as such and acting under orders~~
32 ~~requiring them to carry arms and weapons;~~

33 (1a) A person exempted from the provisions of G.S. 14-269(b).

34 (2) ~~Civil officers of the United States while in the discharge of their official~~
35 ~~duties,~~

36 (3) ~~Officers and soldiers of the militia and the State guard when on duty or~~
37 ~~called into service,~~

38 (4) ~~Officers or employees of the State, or any county, city, or town charged~~
39 ~~with the execution of the laws of the State, when acting in the discharge~~
40 ~~of their official duties if authorized by law to carry weapons,~~

41 (4a) Any person in a building housing a court of the General Court of Justice
42 in possession of a weapon for evidentiary purposes, to deliver it to a
43 law-enforcement agency, or for purposes of registration,

1 (5) State-owned rest areas, rest stops along the highways, and State-owned
2 hunting and fishing reservations.

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

5 Section 4. G.S. 14-277.2(c) reads as rewritten:

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

12 Section 5. G.S. 14-415.22 reads as rewritten:

13 "**§ 14-415.22. Construction of Article.**

14 This Article shall not be construed to require a person who may carry a concealed
15 handgun under the provisions of G.S. 14-269(b) to obtain a concealed handgun ~~permit.~~
16 permit or to make the person subject to the restrictions regarding concealed handguns
17 under G.S. 14-415.11(c). A person lawfully carrying a concealed handgun pursuant to
18 the provisions of G.S. 14-269(b) may carry a concealed handgun into any location in the
19 State unless specifically prohibited by State or federal law."

20 Section 6. This act becomes effective December 1, 1997, and applies to
21 offenses committed on or after that date.