

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

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SENATE BILL 156  
Judiciary Committee Substitute Adopted 3/19/19  
PROPOSED HOUSE COMMITTEE SUBSTITUTE S156-CSSAa-76 [v.5]  
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Short Title: 2nd Amendment Protection Act.

(Public)

Sponsors:

Referred to:

February 28, 2019

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A BILL TO BE ENTITLED

AN ACT TO ENACT THE SECOND AMENDMENT PROTECTION ACT OF 2019.

The General Assembly of North Carolina enacts:

**PART I. CONCEALED HANDGUN PERMIT LAPSE**

**SECTION 1.(a)** G.S. 14-415.16(e) reads as rewritten:

"(e) If the permittee does not apply to renew the permit prior to its expiration date, but does apply to renew the permit ~~within no more than~~ 60 days after the permit expires, the sheriff ~~may shall~~ waive the requirement of taking another firearms safety and training course. If the permittee applies to renew the permit more than 60 days after the permit expires, but no more than 180 days after the permit expires, the sheriff shall waive the requirement of taking another firearms and safety training course if the permittee (i) completes a refresher course on the laws governing the use or carry of firearms in this State that is certified or sponsored by at least one of the entities listed in G.S. 14-415.12(a)(4) and (ii) submits documentation to the sheriff confirming the permittee completed the refresher course. This subsection does not extend the expiration date of the permit."

**SECTION 1.(b)** This part becomes effective October 1, 2020, and applies to renewal applications submitted on or after that date.

**PART II. CONCEALED CARRY FOR CERTAIN LAW ENFORCEMENT FACILITY EMPLOYEES**

**SECTION 2.(a)** G.S. 14-415.27 reads as rewritten:

"§ 14-415.27. **Expanded permit scope for certain persons.**

Notwithstanding G.S. 14-415.11(c), any of the following persons who has a concealed handgun permit issued pursuant to this Article or that is considered valid under G.S. 14-415.24 is not subject to the area prohibitions set out in G.S. 14-415.11(c) and may carry a concealed handgun in the areas listed in G.S. 14-415.11(c) unless otherwise prohibited by federal law:

...

(10) For only a law enforcement facility covered under G.S. 14-415.11(c)(5), a person employed by a law enforcement agency who (i) is not a law enforcement officer sworn and certified pursuant to Article 1 of Chapter 17C or 17E of the General Statutes, (ii) has been designated in writing by the head of the law enforcement agency in charge of the facility, (iii) has in the person's possession written proof of the designation, and (iv) has not had the designation rescinded by the head of the law enforcement agency in charge of the facility. Nothing in this subdivision shall be construed as prohibiting the



1 head of the law enforcement agency in charge of a facility from rescinding  
2 any written designation described in this subdivision."

3 **SECTION 2.(b)** This part becomes effective July 1, 2020, and applies to offenses  
4 committed on or after that date.

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6 **PART III. CONCEALED CARRY FOR CERTAIN EMERGENCY MEDICAL**  
7 **SERVICES PERSONNEL**

8 **SECTION 3.(a)** G.S. 14-269 reads as rewritten:

9 "**§ 14-269. Carrying concealed weapons.**

10 (a) It shall be unlawful for any person willfully and intentionally to carry concealed about  
11 his or her person any bowie knife, dirk, dagger, slung shot, loaded cane, metallic knuckles, razor,  
12 shuriken, stun gun, or other deadly weapon of like kind, except when the person is on the person's  
13 own premises.

14 ...

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

16 ...

17 (10) Emergency medical services personnel, as defined in G.S. 131E-155, while  
18 on duty, who are deployed as part of their official duties providing tactical  
19 medical assistance to law enforcement in an emergency situation, including a  
20 Special Weapons and Tactics (SWAT) operation. In order to qualify under  
21 this subdivision, emergency medical services personnel shall have completed  
22 an approved tactical medical assistance course for supporting tactical law  
23 enforcement operations. An approved course shall (i) include an element on  
24 firearms safety and training, (ii) include instruction in the laws of this State  
25 governing the use of deadly force, and (iii) require training and qualification  
26 on all weapons systems, both lethal and less than lethal, deemed necessary by  
27 any law enforcement agency the emergency medical services personnel  
28 supports. For purposes of this subdivision, an approved course shall be any  
29 course which satisfies the requirements of this subdivision and is certified or  
30 sponsored by one or more of the following organizations:

31 a. The North Carolina Criminal Justice Education and Training  
32 Standards Commission.

33 b. The National Rifle Association.

34 c. A law enforcement agency, college, private or public institution or  
35 organization, or firearms training school, taught by instructors  
36 certified by the North Carolina Criminal Justice Education and  
37 Training Standards Commission or the National Rifle Association.

38 Every instructor of an approved course shall file a copy of the course  
39 description, outline, and proof of certification annually, or upon modification  
40 of the course if more frequently, with the North Carolina Criminal Justice  
41 Education and Training Standards Commission.

42 ...."

43 **SECTION 3.(b)** This part becomes effective December 1, 2020, and applies to  
44 offenses committed on or after that date.

45  
46 **PART IV. CONCEALED CARRY ON ROADS THROUGH EDUCATIONAL**  
47 **PROPERTY**

48 **SECTION 4.(a)** G.S. 14-269.2 is amended by adding a new subsection to read:

49 "(k2) The provisions of this section shall not apply to a person in a vehicle on a road not  
50 maintained by the school that crosses the educational property if the person has a weapon,  
51 including an open or concealed handgun, within the locked vehicle, and the person remains

1 within the locked vehicle while crossing the educational property and only unlocks the vehicle  
2 to allow the entrance or exit of another person."

3 **SECTION 4.(b)** This part becomes effective December 1, 2020, and applies to  
4 offenses committed on or after that date.

5  
6 **PART V. DEVELOP COMPREHENSIVE FIREARM EDUCATION AND WILDLIFE**  
7 **CONSERVATION COURSES**

8 **SECTION 5.(a)** Article 8 of Chapter 115C of the General Statutes is amended by  
9 adding a new section to read:

10 **"§ 115C-81.90. Firearm Safety Elective Course.**

11 The State Board of Education, in consultation with law enforcement agencies and firearms  
12 associations, shall develop a comprehensive firearm education course that can be offered as an  
13 elective at the high school level to facilitate the learning of science, technology, engineering, and  
14 mathematics (STEM) principles. The firearm safety course shall include history, mathematics,  
15 and firearms functions and applications. Firearm safety shall be a key component of the course  
16 of study. The course shall rely on input from law enforcement agencies and firearms associations  
17 as well as related scientific engineering and design-related educational sources. The course of  
18 instruction shall not permit the use or presence of live ammunition. The course shall be conducted  
19 under the supervision of an adult who has been approved by the school principal in accordance  
20 with G.S. 14-269.2(g)(1)."

21 **SECTION 5.(b)** Article 8 of Chapter 115C of the General Statutes is amended by  
22 adding a new section to read:

23 **"§ 115C-81.95. Wildlife Conservation Elective Course.**

24 The State Board of Education, in consultation with the Wildlife Resources Commission, the  
25 Division of Marine Fisheries, and the Wildlife Management Institute, shall develop a  
26 comprehensive course on the North American Model for Wildlife Conservation that can be  
27 offered as an elective at the high school level."

28 **SECTION 5.(c)** There is appropriated from the General Fund to the Department of  
29 Public Instruction the sum of twenty-five thousand dollars (\$25,000) for the 2020-2021 fiscal  
30 year to develop a curriculum for the elective courses established in subsections (a) and (b) of this  
31 section.

32 **SECTION 5.(d)** This part is effective when it becomes law. Subsections (a) and (b)  
33 of this part apply beginning with the 2020-2021 school year.

34  
35 **PART VI. RESTORE CERTAIN FIREARM RIGHTS**

36 **SECTION 6.(a)** G.S. 14-415.1 is amended by adding two new subsections to read:

37 "(f) This section does not apply to, there is no disentanglement under this section for, and  
38 the firearms rights as defined in G.S. 14-415.4 are restored to, any person who satisfies all of the  
39 following criteria:

- 40 (1) The person's firearms rights were restored prior to December 1, 1995, and the  
41 forfeiture of the person's firearms rights on December 1, 1995, occurred only  
42 because amendments to G.S. 14-415.1, enacted by S.L. 1995-487 and further  
43 amended by S.L. 2004-186 and applicable to any person convicted of a felony  
44 before December 1, 1995, became effective.  
45 (2) The person's felony convictions prior to December 1, 1995, are only for  
46 nonviolent felonies as defined in G.S. 14-415.4.  
47 (3) The person has not been convicted of any subsequent felony on or after  
48 December 1, 1995, that would require forfeiture of the person's firearms rights  
49 and cause the person to be disentitled under this section.

1       (g) Notwithstanding G.S. 15A-173.3(2), this section does not apply to, there is no  
2 disentitlement under this section for, and the firearms rights as defined in G.S. 14-415.4 are  
3 restored to, any person who satisfies all of the following criteria:

4           (1) The person's felony conviction is for a Class H or I felony.

5           (2) The person's felony conviction is for a nonviolent felony as defined in G.S.  
6 14-415.4(a)(2).

7           (3) The person has a valid Certificate of Relief issued pursuant to Article 6 of  
8 Chapter 15A.

9           (4) The person has not had a previously issued Certificate of Relief revoked."

10       **SECTION 6.(b)** G.S. 14-404(c) reads as rewritten:

11       "(c) A permit may not be issued to the following persons:

12           (1) One who is under an indictment or information for or has been convicted in  
13 any state, or in any court of the United States, of a felony (other than an offense  
14 pertaining to antitrust violations, unfair trade practices, or restraints of trade).  
15 However, a person who has been convicted of a felony in a court of any state  
16 or in a court of the United States and (i) who is later pardoned, ~~or~~ (ii) whose  
17 firearms rights have been restored pursuant to G.S. 14-415.4, or (iii) who is  
18 exempted from G.S. 14-415.1 by subsection (f) or (g) of that section, may  
19 obtain a permit, if the purchase or receipt of a pistol permitted in this Article  
20 does not violate a condition of the pardon or restoration of firearms rights.

21       ...."

22       **SECTION 6.(c)** G.S. 14-415.12(b) reads as rewritten:

23       "(b) The sheriff shall deny a permit to an applicant who:

24       ...

25           (3) Has been adjudicated guilty in any court of a felony, unless: (i) the felony is  
26 an offense that pertains to antitrust violations, unfair trade practices, or  
27 restraints of trade, ~~or~~ (ii) the person's firearms rights have been restored  
28 pursuant to ~~G.S. 14-415.4~~ G.S. 14-415.4, or (iii) the person is exempted from  
29 G.S. 14-415.1 by subsection (f) or (g) of that section.

30       ...."

31       **SECTION 6.(d)** There is appropriated from the General Fund to the Administrative  
32 Office of the Courts, the sum of one thousand dollars (\$1,000) in nonrecurring funds for the  
33 2020-2021 fiscal year to be used to develop and provide educational materials to the public on  
34 the provisions of this section.

35       **SECTION 6.(e)** Subsection (d) of this section is effective when it becomes law. The  
36 remainder of this section becomes effective December 1, 2020, and applies to violations of G.S.  
37 14-415.1 occurring on or after that date. Prosecutions for offenses committed before the effective  
38 date of this section are not abated or affected by this section, and the statutes that would be  
39 applicable but for this section remain applicable to those prosecutions.

## 40 **PART VII. EFFECTIVE DATE**

41       **SECTION 7.** Except as otherwise provided, this act is effective when it becomes  
42 law.  
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