

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 879  
Committee Substitute Favorable 5/8/95  
Third Edition Engrossed 5/11/95  
Senate Judiciary I/Constitution Committee Substitute Adopted 6/20/96

Short Title: Statewide Gun Regulation.

(Public)

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Sponsors:

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Referred to:

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April 12, 1995

1 A BILL TO BE ENTITLED  
2 AN ACT TO AMEND THE STATE'S GUN LAWS TO ESTABLISH STATEWIDE  
3 UNIFORM REGULATION.

4 The General Assembly of North Carolina enacts:

5 Section 1. Chapter 14 of the General Statutes is amended by adding a new  
6 Article to read:

7 **"ARTICLE 53C.**  
8 **"FIREARM REGULATION.**

9 **"§ 14-409.39. Definitions.**

10 The following definitions apply in this Article:

- 11 (1) Dealer. – Any person licensed as a dealer pursuant to 18 U.S.C. § 921,  
12 et seq., or G.S. 105-80.
- 13 (2) Firearm. – A handgun, shotgun, or rifle which expels a projectile by  
14 action of an explosion.
- 15 (3) Handgun. – A pistol, revolver, or other gun that has a short stock and is  
16 designed to be held and fired by the use of a single hand.

17 **"§ 14-409.40. Statewide uniformity of local regulation.**

1       (a) It is declared by the General Assembly that the regulation of firearms is  
2 properly an issue of general, statewide concern, and that the entire field of regulation of  
3 firearms is preempted from regulation by local governments except as provided by this  
4 section.

5       (b) Unless otherwise permitted by statute, no county or municipality, by  
6 ordinance, resolution, or other enactment, shall regulate in any manner the possession,  
7 ownership, storage, transfer, sale, purchase, licensing, or registration of firearms, firearms  
8 ammunition, components of firearms, dealers in firearms, or dealers in handgun  
9 components or parts.

10       (c) Notwithstanding subsection (b) of this section, a county or municipality, by  
11 zoning or other ordinance, may regulate or prohibit the sale of firearms at a location only  
12 if there is a lawful, general, similar regulation or prohibition of commercial activities at  
13 that location.

14       (d) No county or municipality, by zoning or other ordinance, shall regulate in any  
15 manner firearms shows with regulations more stringent than those applying to shows of  
16 other types of items.

17       (e) A county or municipality may regulate the transport, carrying, or possession of  
18 firearms by employees of the local unit of government in the course of their employment  
19 with that local unit of government.

20       (f) Nothing contained in this section prohibits municipalities or counties from  
21 application of their authority under G.S. 153A-129, 160A-189, 14-269, 14-269.2, 14-  
22 269.3, 14-269.4, 14-277.2, 14-415.11, 14-415.23, including prohibiting the possession of  
23 firearms in public-owned buildings, on the grounds or parking areas of those buildings, or  
24 in public parks or recreation areas, except nothing in this subsection shall prohibit a  
25 person from storing a firearm within a motor vehicle while the vehicle is on these  
26 grounds or areas. Nothing contained in this section prohibits municipalities or counties  
27 from exercising powers provided by law in declared states of emergency under Article  
28 36A of this Chapter."

29               Sec. 2. This act is effective upon ratification.