

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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SENATE BILL 33  
Judiciary II Committee Substitute Adopted 3/18/03

Short Title: Concealed Handgun Reciprocity.

(Public)

Sponsors:

Referred to:

February 13, 2003

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE RECIPROCAL CONCEALED HANDGUN RIGHTS TO  
3 CONCEALED HANDGUN PERMIT HOLDERS OF OTHER STATES.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 54B of Chapter 14 of the General Statutes is amended  
6 by adding a new section to read:

7 "**§ 14-415.24. Reciprocity; out-of-state handgun permits.**

8 (a) A valid concealed handgun permit or license issued by another state is valid  
9 in North Carolina if that state both:

10 (1) Grants permits under the following or more stringent requirements:

11 a. An applicant must be a citizen of the United States;

12 b. An applicant must be 21 years of age or older;

13 c. An applicant must complete a firearms safety and training  
14 course that includes the actual firing of a handgun;

15 d. The permit granting authority undertakes some background  
16 check as to an applicant's mental health or mental capacity;

17 e. The applicant is eligible to own or receive a firearm under  
18 federal law;

19 f. The applicant has not been adjudicated guilty in any court of a  
20 felony; and

21 g. The applicant has not been adjudicated guilty in any court of a  
22 misdemeanor offense that constitutes a crime of violence.

23 (2) Grants the same right to residents of North Carolina who have valid  
24 concealed handgun permits issued pursuant to this Article in their  
25 possession while carrying concealed weapons in that state.

26 (b) The Attorney General shall determine which states meet the requirements of  
27 this section, maintain a registry of such states on the North Carolina Criminal  
28 Information Network, and make the registry available to law enforcement officers for  
29 investigative purposes. The Attorney General's determination whether a state meets the

1 requirements of this section shall be conclusive. If the Attorney General determines that  
2 another state's laws fail to meet the requirements of G.S. 14-415.24(a), the Attorney  
3 General shall submit a report within 30 days to the Joint Legislative Commission on  
4 Governmental Operations specifying the criteria under which the determination was  
5 made.

6 (c) The provisions of G.S. 14-415.11(a) and (c) apply to a nonresident whose  
7 concealed handgun permit or license from another state is honored by North Carolina in  
8 accordance with the reciprocity provisions of this section. The Department of Justice  
9 shall post on its web site or shall otherwise make available information regarding the  
10 laws of self-defense in North Carolina and the requirements of G.S. 14-415.11(a) and  
11 (c).

12 (d) Every 12 months after the effective date of this subsection, the Department of  
13 Justice shall make written inquiry of the concealed handgun permitting authorities in  
14 each other state as to: (i) whether a North Carolina resident may carry a concealed  
15 handgun in their state based upon having a valid North Carolina concealed handgun  
16 permit, and (ii) whether a North Carolina resident may apply for a concealed handgun  
17 permit in that state based upon having a valid North Carolina concealed handgun  
18 permit. The Department of Justice shall attempt to secure from each state permission for  
19 North Carolina residents who hold a valid North Carolina concealed handgun permit to  
20 carry a concealed handgun in that state, either on the basis of the North Carolina permit  
21 or on the basis that the North Carolina permit is sufficient to permit the issuance of a  
22 similar license or permit by the other state."

23 **SECTION 2.** G.S. 14-269(a1) reads as rewritten:

24 "(a1) It shall be unlawful for any person willfully and intentionally to carry  
25 concealed about his person any pistol or gun except in the following circumstances:

26 (1) The person is on the person's own premises.

27 (2) The deadly weapon is a handgun, and the person has a concealed  
28 handgun permit issued in accordance with Article 54B of this ~~Chapter~~  
29 Chapter or considered valid under G.S. 14-415.24."

30 **SECTION 3.** G.S. 14-415.24(b), as enacted by this act, is effective when  
31 this act becomes law. The Attorney General shall implement G.S. 14-415.24(b), as  
32 enacted by Section 1 of this act, within 60 days after this act becomes law. The  
33 remainder of this act becomes effective 60 days after this act becomes law.