

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 1056
Judiciary I Committee Substitute Adopted 5/13/09

Short Title: Require Firearms Certification/Bail Bondsman.

(Public)

Sponsors:

Referred to:

March 31, 2009

1 A BILL TO BE ENTITLED
2 AN ACT REQUIRING A BAIL BONDSMAN TO OBTAIN A FIREARMS REGISTRATION
3 PERMIT AND FIREARMS TRAINING.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 71 of Chapter 58 of the General Statutes is amended by
6 adding a new section to read:

7 "**§ 58-71-51. Armed licensee required to have firearm registration permit; firearms**
8 **training.**

9 (a) It shall be unlawful for any person acting as a bail bondsman to carry a firearm in
10 the performance of his or her duties as an armed bail bondsman without first having met the
11 qualifications of this section and having been issued a firearm registration permit by the
12 Attorney General. For purposes of this section, an 'armed bail bondsman' is a bail bondsman
13 licensed under this Article who, at any time, wears, carries, or possesses a firearm in the
14 performance of duty.

15 (b) The applicant for a firearm registration permit shall submit an application to the
16 Attorney General on a form provided by the Attorney General.

17 (c) Each firearm registration permit issued under this section to an armed bail
18 bondsman shall be in the form of a pocket card designed by the Attorney General and shall
19 identify the name of the armed bail bondsman. A firearm registration permit issued to an armed
20 bail bondsman expires one year after the date of its issuance and shall be renewed annually
21 unless the permit holder's employment terminates before the expiration of the permit. If an
22 armed bail bondsman terminates his or her employment, the firearm registration permit expires
23 and shall be returned to the Attorney General within 15 working days of the date of
24 termination. The Attorney General may require all permit holders to complete continuing
25 education courses approved by the Attorney General before renewal of their permits.

26 (d) While carrying a firearm and engaged in practice as a bail bondsman, the armed bail
27 bondsman shall carry the firearms registration permit issued by the Attorney General, together
28 with valid identification, and shall disclose to any law enforcement officer that the person holds
29 a valid permit and is carrying a firearm, whether concealed or in plain view, when approached
30 and addressed by the law enforcement officer, and shall display both the permit and the proper
31 identification upon the request of a law enforcement officer.

32 (e) The Attorney General may suspend, revoke, or deny a firearm registration permit if
33 the holder or applicant has been convicted of any crime involving moral turpitude or any crime
34 involving the illegal use, carrying, or possession of a deadly weapon or for violation of this
35 section or rules adopted by the Attorney General to implement this section. The Attorney
36 General may summarily suspend a firearm registration permit pending resolution of charges



1 involving the illegal use, carrying, or possession of a firearm lodged against the holder of the
2 permit.

3 (f) The Attorney General shall establish a firearms training program for licensees to be
4 conducted by agencies and institutions approved by the Attorney General. The Attorney
5 General may approve training programs if the instructors of the training program are certified
6 trainers approved by the Attorney General and the training program meets the following
7 criteria:

8 (1) Complete a basic training course consisting of a minimum of 20 hours of
9 classroom training that includes all of the following:

10 a. Legal limitations on the use of handguns and on the powers and
11 authority of an armed bail bondsman.

12 b. Familiarity with this section.

13 c. Range firing and procedure and handgun safety and maintenance.

14 d. Any other topics of armed bail bondsman training curriculum that the
15 Attorney General deems necessary.

16 (2) Fire a minimum qualifying score of eighty percent (80%) on a target course
17 approved by the Attorney General.

18 (3) Complete a refresher course and requalify on the prescribed target course
19 before renewing the firearm registration permit.

20 (4) Complete any other training requirements deemed necessary by the Attorney
21 General.

22 (g) The Attorney General may not issue a firearm registration permit to an applicant
23 until the applicant submits evidence satisfactory to the Attorney General that the applicant:

24 (1) Has satisfactorily completed an approved training course.

25 (2) Meets all the qualifications established by this section and by the rules
26 adopted to implement this section.

27 (3) Is mentally and physically capable of handling a firearm within the
28 guidelines set forth by the Attorney General.

29 (h) All fees collected pursuant to G.S. 58-71-55 shall be expended, under the direction
30 of the Attorney General, for the purpose of defraying the expense of administering the firearms
31 provisions of this Article.

32 (i) The Attorney General is authorized to adopt rules to implement this section,
33 including rules for periodic requalification with the firearm and for the maintenance of records
34 relating to persons issued a firearm registration permit by the Attorney General."

35 **SECTION 2.** G.S. 58-71-55 reads as rewritten:

36 **"§ 58-71-55. License fees.**

37 A nonrefundable license fee of one hundred dollars (\$100.00) shall be paid to the
38 Commissioner with each application for license as a bail bondsman and a license fee of sixty
39 dollars (\$60.00) shall be paid to the Commissioner with each application for license as a
40 runner. A nonrefundable application fee of fifty dollars (\$50.00) shall be paid to the Attorney
41 General with each application for a firearm registration permit for an armed bail bondsman."

42 **SECTION 3.** A bail bondsman licensed under Article 71 of Chapter 58 of the
43 General Statutes and carrying a firearm while engaged in practice as a bail bondsman in this
44 State on or before October 1, 2009, shall have 90 days after that date to comply with the
45 applicable requirements of G.S. 58-71-51, as enacted in Section 1 of this act.

46 **SECTION 4.** This act becomes effective October 1, 2009.