

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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SENATE BILL 89

Short Title: Disqualification Notice/Pistol Sale Permit. (Public)

Sponsors: Senators Randleman (Primary Sponsor); Brock, Daniel, and Newton.

Referred to: Rules and Operations of the Senate.

February 19, 2015

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAW DIRECTING THE CLERK OF COURT TO TRANSMIT  
CERTAIN DATA RELEVANT TO THE FACTORS THAT DISQUALIFY A PERSON  
FROM OBTAINING A PERMIT TO PURCHASE OR TRANSFER A HANDGUN.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 14-404(c1) reads as rewritten:

"(c1) ~~Excluding Saturdays, Sundays, and holidays, after receiving notice of any of the judicial findings, court orders, or other factual matters, relevant to any of the disqualifying conditions specified in subsection (c) of this section, the clerk of superior court shall determine which information can practicably be transmitted to the National Instant Criminal Background Check System (NICS) and shall transmit that information to NICS within 48 hours of that determination. The information shall include a reference to the relevant statutory provision of G.S. 14-404 that precludes the issuance of a permit.~~ Excluding Saturdays, Sundays, and holidays, the clerk of superior court shall transmit to the National Instant Criminal Background Check System (NICS) that data entered and maintained by the clerks in the Administrative Office of the Courts record management systems that impacts a disqualifying factor as outlined in G.S. 14-404(c) within 48 hours of such entry, provided that NICS requests that such data be transmitted and that the data can be transmitted in a format acceptable by NICS. The data shall include a reference to the relevant statutory provision of G.S. 14-404 that precludes the issuance of a permit."

**SECTION 2.** By October 1, 2015, the Administrative Office of the Courts shall report to the Joint Legislative Oversight Committee on Justice and Public Safety, its findings and recommendations regarding the information required under G.S. 14-404(c1) that can practicably be transmitted to the National Instant Criminal Background Check System (NICS). Consistent with this report, the Rules of Recordkeeping shall be amended to require the Clerk of Superior Court to transmit within 48 hours, excluding Saturdays, Sundays, and holidays, the information that is entered into the Administrative Office of the Courts record management systems, which after consultation with NICS, is requested by NICS to be provided.

**SECTION 3.** Section 1 of this act becomes effective January 1, 2016. The remainder of this act is effective when it becomes law.

