

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 134
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40093-ML-62

Short Title: 2nd Amendment Protection Act. (Public)

Sponsors: Representatives McNeely, Saine, Adams, and Carter (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT A PERSON WHO HAS A CONCEALED CARRY HANDGUN
3 PERMIT MAY CARRY A HANDGUN ON EDUCATIONAL PROPERTY THAT IS THE
4 LOCATION OF BOTH A SCHOOL AND A PLACE OF RELIGIOUS WORSHIP AND TO
5 ENACT THE 2ND AMENDMENT PROTECTION ACT OF 2021.

6 The General Assembly of North Carolina enacts:

7
8 **PART I. ALLOW HANDGUNS ON RELIGIOUS PROPERTY WITH A SCHOOL**

9 **SECTION 1.(a)** G.S. 14-269.2 is amended by adding a new subsection to read:

10 "(k1) The provisions of this section shall not apply to a person who has a concealed handgun
11 permit that is valid under Article 54B of this Chapter, or who is exempt from obtaining a permit
12 pursuant to that Article, when all of the following conditions are met:

13 (1) The person possesses and carries a handgun on educational property that is a
14 nonpublic school authorized by Part 1 of Article 39 of Chapter 115C of the
15 General Statutes.

16 (2) The educational property is the location of both a school and a building that is
17 a place of religious worship, as defined in G.S. 14-54.1.

18 (3) The weapon is a handgun.

19 (4) The handgun is only possessed and carried on educational property outside of
20 the nonpublic school's operating hours. A nonpublic school's operating hours
21 are any time when curricular or extracurricular activities are taking place on
22 the premises and any time when the premises are being used for
23 school-sponsored activities.

24 (5) The person or persons in legal possession or control of the premises have not
25 posted a conspicuous notice prohibiting the carrying of a concealed handgun
26 on the premises in accordance with G.S. 14-415.11(c)."

27 **SECTION 1.(b)** This Part becomes effective December 1, 2021, and applies to
28 offenses committed on or after that date.

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30 **PART II. CONCEALED HANDGUN PERMIT LAPSE**

31 **SECTION 2.(a)** G.S. 14-415.16(e) reads as rewritten:

32 "(e) If the permittee does not apply to renew the permit prior to its expiration date, but
33 does apply to renew the permit ~~within no more than~~ 60 days after the permit expires, the sheriff
34 ~~may~~ shall waive the requirement of taking another firearms safety and training course. If the
35 permittee applies to renew the permit more than 60 days after the permit expires, but no more
36 than 180 days after the permit expires, the sheriff shall waive the requirement of taking another



1 firearms and safety training course if the permittee (i) completes a refresher course on the laws
2 governing the use or carry of firearms in this State that is certified or sponsored by at least one
3 of the entities listed in G.S. 14-415.12(a)(4) and (ii) submits documentation to the sheriff
4 confirming the permittee completed the refresher course. This subsection does not extend the
5 expiration date of the permit."

6 **SECTION 2.(b)** This Part becomes effective October 1, 2021, and applies to renewal
7 applications submitted on or after that date.

8 9 **PART III. CONCEALED CARRY FOR CERTAIN LAW ENFORCEMENT FACILITY** 10 **EMPLOYEES**

11 **SECTION 3.(a)** G.S. 14-415.27 reads as rewritten:

12 "**§ 14-415.27. Expanded permit scope for certain persons.**

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

17 ...

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

28 **SECTION 3.(b)** This Part becomes effective July 1, 2021, and applies to offenses
29 committed on or after that date.

30 31 **PART IV. CONCEALED CARRY FOR CERTAIN EMERGENCY MEDICAL** 32 **SERVICES PERSONNEL**

33 **SECTION 4.(a)** G.S. 14-269 reads as rewritten:

34 "**§ 14-269. Carrying concealed weapons.**

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

39 ...

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

41 ...

42 (10) Emergency medical services personnel, as defined in G.S. 131E-155, while
43 on duty, who are deployed as part of their official duties providing tactical
44 medical assistance to law enforcement in an emergency situation, including a
45 Special Weapons and Tactics (SWAT) operation. In order to qualify under
46 this subdivision, emergency medical services personnel shall have completed
47 an approved tactical medical assistance course for supporting tactical law
48 enforcement operations. An approved course shall (i) include an element on
49 firearms safety and training, (ii) include instruction in the laws of this State
50 governing the use of deadly force, and (iii) require training and qualification
51 on all weapons systems, both lethal and less than lethal, deemed necessary by

1 any law enforcement agency the emergency medical services personnel
2 supports. For purposes of this subdivision, an approved course shall be any
3 course which satisfies the requirements of this subdivision and is certified or
4 sponsored by one or more of the following organizations:

5 a. The North Carolina Criminal Justice Education and Training
6 Standards Commission.

7 b. The National Rifle Association.

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

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

16"

17 **SECTION 4.(b)** This Part becomes effective December 1, 2021, and applies to
18 offenses committed on or after that date.

19
20 **PART V. EFFECTIVE DATE**

21 **SECTION 5.** Except as otherwise provided, this act is effective when it becomes
22 law.