



# HOUSE BILL 824: Concealed Handgun Permit/Admin. Law Judge

2015-2016 General Assembly

**Committee:** House Judiciary I  
**Introduced by:** Rep. McNeill  
**Analysis of:** PCS to First Edition  
H824-CSST-27

**Date:** April 21, 2015  
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Committee Counsel

**SUMMARY:** *The proposed committee substitute for House Bill 824 would exempt administrative law judges from the*

**CURRENT LAW:** G.S. 14-269 makes it unlawful for any individual to willfully and intentionally carry concealed about their person any of the following:

- Bowie knife
- Dirk
- Dagger
- Slung shot
- Loaded cane
- Metallic knuckles
- Razor
- Shurikin
- Stun gun
- Other deadly weapon

It is also unlawful to carry concealed a pistol or gun, unless it is on the individual's property, the individual has a concealed carry permit, or is a military permittee. Violation is a misdemeanor. The prohibition does not apply to ordinary pocket knives.

The prohibitions above do not apply to any of the following individuals:

- Officers and enlisted personnel of the armed forces of the United States when in discharge of their official duties and acting under orders requiring them to carry arms and weapons.
- Civil and law enforcement officers of the United States.
- Officers and soldiers of the militia and the National Guard when called into actual service.
- Officers of the State, or of any county, city, town, or company police agency charged with the execution of the laws of the State, when acting in the discharge of their official duties.
- District attorneys, assistant district attorneys or investigators employed by the DA, under certain conditions.
- Certain retired law-enforcement officers.
- Detention personnel or correctional officers, under certain conditions.
- Sworn law-enforcement officers, when off-duty, under certain conditions.
- Probation or parole certified officers, off duty, under certain conditions.
- State correctional officers, off duty, under certain conditions.

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For the individuals listed above that are exempt from the prohibitions, those individuals are also exempt from the following statutory provisions:

- **G.S. 14-269.2.** Weapons on campus or other education property.
- **G.S. 14-269.3.** Carrying weapons into assemblies and establishments where alcoholic beverages are sold and consumed.
- **G.S. 14-277.2.** Weapons at parades, etc.
- **G.S. 14-288.7.** Transporting dangerous weapon or substance during emergency; possessing off premises; exceptions.
- **G.S. 14-288.8.** Manufacture, assembly, possession, storage, transportation, sale, purchase, delivery, or acquisition of weapon of mass death and destruction; exceptions. (exemption applies while lawfully carrying out duties of the position)
- **G.S. 14-288.21.** Unlawful manufacture, assembly, possession, storage, transportation, sale, purchase, delivery, or acquisition of a nuclear, biological, or chemical weapon of mass destruction; exceptions; punishment. (exemption applies while lawfully carrying out the duties of the position)

**BILL ANALYSIS:** The PCS would exempt administrative law judges, provided they do not carry a weapon while consuming alcohol or an unlawful controlled substance, or while alcohol or unlawful controlled substances are in that person's body.

The PCS would also authorize an administrative law judge to carry the concealed weapon in certain places, such as State and federal offices, private premises posted for no handguns, and courthouses.

**EFFECTIVE DATE:** October 1, 2015.