



SENATE BILL 212: Handgun Standards for Retired Sworn Law Enforcement Officer

2015-2016 General Assembly

Committee:

Introduced by:

Analysis of: S.L. 2015-105

Date:

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Staff Attorney

SUMMARY: *S.L. 2015-105, as amended by Sec. 36 of S.L. 2015-264, allows successful completion by a retired sworn law enforcement officer of the handgun qualifications for active sworn law enforcement officers to be sufficient for purposes of obtaining a concealed handgun permit.*

This act became effective October 1, 2015.

CURRENT LAW: In order to obtain a concealed handgun permit, a person must complete an approved firearms safety and training course. G.S. 14-415.12A currently provides that qualified sworn law enforcement officers, qualified former sworn law enforcement officers, qualified retired correctional officers, qualified retired probation or parole certified officers, and person licensed as armed security guards are deemed to have met that requirement.

BILL ANALYSIS: S.L. 2015-105 provides that "qualified retired law enforcement officers" are deemed to have satisfied the firearms safety and training course requirement. Currently, "qualified retired law enforcement officers" are authorized to carry concealed without obtaining a concealed handgun permit, pursuant to federal authorization and G.S. 14-415.25.

A "qualified retired law enforcement officer" is a person who meets the definition of that term contained in section 926C of Title 18 of the United States Code. That definition requires that the person meet all of the following requirements:

- Be separated from service in good standing from service with a public agency as a law enforcement officer.
- Before separation, have been authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest or apprehension.
- Served as a law enforcement officer for 10 years or more or separated from service due to a service-connected disability.
- Has completed the standards for qualification in firearms training for active law enforcement officers within the past 12 months.
- Has not been found to be unqualified for reasons relating to mental health or has not entered into an agreement with the agency from which they are separated acknowledging they are not qualified for reasons relating to mental health.
- Is not prohibited by Federal law from receiving a firearm.

EFFECTIVE DATE: This act became effective October 1, 2015.

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Director



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