



# SENATE BILL 212: Handgun Standards for Retired Sworn LEO

2015-2016 General Assembly

**Committee:** House Judiciary I  
**Introduced by:** Sen. Tillman  
**Analysis of:** Second Edition

**Date:** June 17, 2015  
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**SUMMARY:** *Senate Bill 212 would allow 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 a concealed handgun permit.*

**CURRENT LAW:** G.S. 14-269 makes it unlawful for any individual to willfully and intentionally carry a pistol or gun concealed about their person unless it is on the individual's property, the individual has a concealed carry permit, or is a military permittee. Violation is a misdemeanor. Additionally, G.S. 14-415.25 provides that law enforcement and qualified retired law enforcement officers (as defined in federal law) are exempt from obtaining the carry concealed permit.

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.

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 the following exceptions to the firearms safety and training course requirement:

- Qualified sworn law enforcement officers.
- Qualified former sworn law enforcement officers.

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- Qualified retired correctional officers.
- Qualified retired probation or parole certified officers.
- Persons licensed as armed security guards.

**BILL ANALYSIS:** Senate Bill 212 would provide that "qualified retired law enforcement officers" are deemed to have satisfied the firearms safety and training course requirement in order to obtain a carry concealed permit.

**EFFECTIVE DATE:** This act becomes effective October 1, 2015.

**\*Staff Attorney Susan Sitze contributed significantly to this document.**