



# SENATE BILL 43: Protect Religious Meeting Places.

2021-2022 General Assembly

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<b>Committee:</b>		<b>Date:</b>	June 2, 2021
<b>Introduced by:</b>	Sens. Britt, Daniel, Johnson	<b>Prepared by:</b>	Kara McCraw Staff Attorney
<b>Analysis of:</b>	Third Edition		

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## OVERVIEW: SB 43 would:

- *Authorize carrying a handgun in a place of religious worship that is also educational property under certain conditions.*
- *Authorize concealed carry for certain law enforcement facility employees.*

## SECTIONS 1-4

**CURRENT LAW:** G.S. 14-269.2 prohibits weapons on educational property of schools, with certain exceptions. Schools are defined to include public schools, private schools, community colleges, colleges, and universities. It is a Class I felony to possess or carry any gun on educational property.

**BILL ANALYSIS:** Sections 1-4 would create a new exception to the prohibition on weapons on educational property. A handgun could be carried in a place of religious worship that is also a school by an individual with a concealed handgun permit or who is exempt from obtaining that permit when all of the following apply:

- The property is not owned by a local board of education or county commission.
- The property is not a public or private institution of higher education.
- The property is not posted with a notice prohibiting carrying a concealed handgun on the premises.
- The handgun is only possessed and carried on the property outside of the school operating hours. School operating hours are defined as any time a curricular or extracurricular activity takes place on the premises, any time when the premises are used for educational, instructional, or school-sponsored activities, and any time the premises are being used for programs for minors by entities not affiliated with the religious institution.

## SECTION 5

**CURRENT LAW:** G.S. 14-415.11(c)(5) prohibits a person with a concealed handgun permit from carrying a concealed handgun in a law enforcement or correctional facility. G.S. 14-415.27 sets forth a list of persons who are authorized to carry a concealed handgun into one of the areas prohibited by G.S. 14-415.11(c). Sworn law enforcement officers are authorized to carry a concealed handgun without obtaining a concealed handgun permit.

**BILL ANALYSIS:** Sec. 5 would add an additional exception to G.S. 14-415.27 to authorize a person with a concealed handgun permit who is employed by a law enforcement agency, but who is not a sworn law enforcement officer, to carry a concealed handgun into a law enforcement agency if all of the following conditions are met:

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# Senate Bill 43

*Page 2*

- The person has been designated in writing by the head of the law enforcement agency in charge of the facility.
- The person has in their possession written proof of the designation.
- The designation has not been rescinded by the head of the law enforcement agency in charge of the facility.

This section would become effective July 1, 2021, and would apply to offenses committed on or after that date.

**EFFECTIVE DATE:** SB 43 would become effective December 1, 2021.