



HOUSE BILL 49: Protect Religious Meeting Places.

2023-2024 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	February 15, 2023
Introduced by:	Reps. McNeely, Carson Smith, Chesser, N. Jackson	Prepared by:	Karyl Smith Staff Attorney
Analysis of:	Second Edition		

OVERVIEW: *House Bill 49 would:*

- **Authorize an individual who has a valid concealed handgun permit, or who is exempt from obtaining that permit, to carry a handgun in a place of religious worship that is also educational property if:**
 - *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 school operating hours.*
- **Authorize certain law enforcement facility employees to carry a concealed handgun in the facility.**

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. Educational property consists of any school building or bus, school campus, grounds, recreational area, athletic field, or other property owned, used, or operated by any board of education or school board of trustees, or directors for the administration of any school. It is a Class I felony to possess or carry any gun on educational property.

BILL ANALYSIS: This bill would create a new exception to the prohibition of weapons on educational property of schools. An individual who has a valid concealed handgun permit, or who is exempt from obtaining that permit, may carry a handgun in a place of religious worship located on privately-owned educational property if all of the following conditions 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 school operating hours. School operating hours are defined as any time a curricular or extracurricular activity takes place

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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: This bill would also 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:

- 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.

EFFECTIVE DATE: Section 5 would become effective July 1, 2023, and would apply to offenses committed on or after that date. Except as otherwise provided, this bill would become effective when it becomes law.

Kara McCraw and Robert Ryan, Staff Attorneys in the Legislative Analysis Division, substantially contributed to this summary.