



# SENATE BILL 650: Gun Violence Prevention Act.

2023-2024 General Assembly

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<b>Committee:</b>	Senate Rules and Operations of the Senate	<b>Date:</b>	April 27, 2023
<b>Introduced by:</b>	Sens. Britt, B. Newton, Daniel	<b>Prepared by:</b>	Robert Ryan
<b>Analysis of:</b>	Second Edition		Staff Attorney

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**OVERVIEW:** *Senate Bill 650 would create a new criminal offense for the possession of a firearm by a felon during the commission of a felony.*

**CURRENT LAW:** Article 54A of Chapter 14 of the General Statutes is the Felony Firearms Act and it addresses the possession of firearms by individuals convicted of felonies and related issues. Specifically, G.S. 14-415.1 makes it a Class G felony for any person who has been convicted of a felony to purchase or possess a firearm or any weapon of mass destruction.

**BILL ANALYSIS:** Senate Bill 650 would create a new section in the Felony Firearms Act: G.S. 14-415.1A, Possession of certain weapons by felon during the commission or attempted commission of a felony. This new law contains a definition for "brandish" which means to display a firearm or weapon of mass death or otherwise make its presence known to another person. This new law would make it unlawful for any person who has been convicted of a felony, as defined by G.S. 14-415.1, to possess a firearm or a weapon of mass destruction during the commission of a felony under Chapter 14 or Article 5 of Chapter 90 (Controlled Substances Act.) The penalties for a violation of G.S. 14-415.1A would be the following:

- Class D felony if the felon discharged the weapon during the felony.
- Class F felony if the felon brandishes the weapon during the felony.
- Class G felony for any other violation.

A violation of G.S. 14-415.1A is a separate offense and does not merge with any other crime, including 14-415.1.

**EFFECTIVE DATE:** This act becomes effective December 1, 2023, and applies to offenses committed on or after that date.

Jeffrey Hudson  
Director



Legislative Analysis  
Division  
919-733-2578