



HOUSE BILL 28: Gun Violence Prevention Act.

2025-2026 General Assembly

Committee:	House Judiciary 2. If favorable, re-refer to Homeland Security and Military and Veterans Affairs. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	March 4, 2025
Introduced by:	Reps. Balkcom, Carson Smith, Miller, Pyrtle	Prepared by:	Susan Sitze Hannah Kendrick Staff Attorney
Analysis of:	First Edition		

OVERVIEW: *House Bill 28 would create the felony offense for possession of a firearm or weapon of mass death and destruction by a felon during the commission or attempted commission of a felony. It would also increase the punishment for possession of firearms by a felon.*

CURRENT LAW:

G.S. 14-409.39 defines a firearm as a handgun, shotgun, or rifle which expels a projectile by action of an explosion.

G.S. 14-288.8 defines a weapon of mass death and destruction to include the following:

- An explosive or incendiary bomb, grenade, rocket, missile, mine, or similar device.
- Any type of weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter.
- Any firearm capable of fully automatic fire, any shotgun with a barrel or barrels of less than 18 inches in length or an overall length of less than 26 inches, any rifle with a barrel or barrels of less than 16 inches in length or an overall length of less than 26 inches, any muffler or silencer for any firearm, whether or not such firearm is included within this definition.
- Any combination of parts either designed or intended for use in converting any device into any weapon described above and from which a weapon of mass death and destruction may readily be assembled.

BILL ANALYSIS:

Section 1 of House Bill 28 would create a felony offense for possessing a firearm or weapon of mass death and destruction by a felon during the commission or attempted commission of a felony under Chapter 14 of the General Statutes or Article 5 of Chapter 90 of the General Statutes.

The offense would be punished as follows:

- A Class C felony for discharging the firearm or weapon of mass death and destruction during the commission or attempted commission of the felony.
- A Class D felony for brandishing the firearm or weapon of mass death and destruction during the commission or attempted commission of the felony.

Kara McCraw
Director



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- A Class F felony for any other violation.

This offense would not be eligible to merge with any other offense.

Section 2 of House Bill 28 would increase the punishment for possession of firearms or any weapon of mass death and destruction by a felon from a Class G felony to a Class F felony. A violation would not be a lesser included offense of G.S. 14-415.1A.

EFFECTIVE DATE: This bill would become effective December 1, 2025, and would apply to offense committed on or after that date.