

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 338
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40039-ML-20

Short Title: Lifetime Concealed Handgun Permit. (Public)

Sponsors: Representative Adams.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE ISSUANCE OF LIFETIME CONCEALED HANDGUN
3 PERMITS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 14-415.10 reads as rewritten:

6 "§ 14-415.10. Definitions.

7 The following definitions apply to this Article:

8 (1) Carry a concealed handgun. – The term includes possession of a concealed
9 handgun.

10 (1a) Deployed or deployment. – Any military duty that removes a military
11 permittee from the permittee's county of residence during which time the
12 permittee's permit expires or will expire.

13 (1b) Fixed duration permit. – A concealed handgun permit issued in accordance
14 with the provisions of this Article and with a stated expiration date.

15 (2) Handgun. – A firearm that has a short stock and is designed to be held and
16 fired by the use of a single hand.

17 (2a) Lifetime permit. – A concealed handgun permit issued in accordance with the
18 provisions of this Article with no expiration date.

19 (2b) Military permittee. – A person who holds a permit who is also a member of
20 the Armed Forces of the United States, the reserve components of the Armed
21 Forces of the United States, the North Carolina Army National Guard, or the
22 North Carolina Air National Guard.

23 (3) Permit. – A ~~concealed handgun~~ fixed duration permit or lifetime permit issued
24 in accordance with the provisions of this Article.

25"

26 SECTION 2. G.S. 14-415.11 reads as rewritten:

27 "§ 14-415.11. Permit to carry concealed handgun; scope of permit.

28 (a) Any person who has a concealed handgun permit may carry a concealed handgun
29 unless otherwise specifically prohibited by law. The person shall carry the permit together with
30 valid identification whenever the person is carrying a concealed handgun, shall disclose to any
31 law enforcement officer that the person holds a valid permit and is carrying a concealed handgun
32 when approached or addressed by the officer, and shall display both the permit and the proper
33 identification upon the request of a law enforcement officer. In addition to these requirements, a
34 military permittee with a fixed duration permit whose permit has expired during deployment may
35 carry a concealed handgun during the 90 days following the end of deployment and before the



1 permit is renewed provided the permittee also displays proof of deployment to any law
2 enforcement officer.

3 (b) The sheriff shall issue a permit to carry a concealed handgun to a person who qualifies
4 for a permit under G.S. 14-415.12. ~~The~~ A fixed duration permit shall be valid throughout the
5 State for a period of five years from the date of issuance. A lifetime permit shall be valid
6 throughout the State until revoked or surrendered.

7 ...

8 (d) A person who is issued a permit shall notify the sheriff ~~who issued the permit of the~~
9 county where the person resides of any change in the person's permanent address within 30 days
10 after the change of address. If a permit is lost or destroyed, the person to whom the permit was
11 issued shall notify the sheriff who issued the permit of the loss or destruction of the permit. A
12 person may obtain a duplicate permit by submitting to the sheriff a notarized statement that the
13 permit was lost or destroyed and paying the required duplicate permit fee."

14 **SECTION 3.** G.S. 14-415.14(a) reads as rewritten:

15 "(a) The sheriff shall make permit applications readily available at the office of the sheriff
16 or at other public offices in the sheriff's jurisdiction. The permit application shall be in triplicate,
17 in a form to be prescribed by the State Bureau of Investigation, and shall include the following
18 information with regard to the applicant: name, address, physical description, signature, date of
19 birth, social security number, military status, law enforcement status, and the drivers license
20 number or State identification card number of the applicant if used for identification in applying
21 for the permit. The application shall also indicate if the application is for a fixed duration permit
22 or a lifetime permit."

23 **SECTION 4.** G.S. 14-415.16 reads as rewritten:

24 "**§ 14-415.16. Renewal of fixed duration permit.**

25 (a) At least 45 days prior to the expiration date of a fixed duration permit, the sheriff of
26 the county where the permit was issued shall send a written notice to the permittee explaining
27 that the permit is about to expire and including information about the requirements for renewal
28 of the permit. The notice shall be sent by first class mail to the last known address of the
29 permittee. Failure to receive a renewal notice shall not relieve a permittee of requirements
30 imposed in this section for renewal of the permit.

31 (b) The holder of a fixed duration permit shall apply to renew the permit within the
32 90-day period prior to its expiration date by filing with the sheriff of the county in which the
33 person resides a renewal form provided by the sheriff's office, an affidavit stating that the
34 permittee remains qualified under the criteria provided in this Article, a newly administered full
35 set of the permittee's fingerprints, and a renewal fee. The renewal form shall indicate whether the
36 holder of the permit would like the renewal to be issued as a fixed duration permit or a lifetime
37 permit.

38"

39 **SECTION 5.** G.S. 14-415.16A reads as rewritten:

40 "**§ 14-415.16A. Permit extensions and renewals of fixed duration permits for deployed**
41 **military permittees.**

42 (a) A deployed military permittee whose fixed duration permit will expire during the
43 permittee's deployment, or the permittee's agent, may apply to the sheriff for an extension of the
44 military permittee's permit by providing the sheriff with a copy of the permittee's proof of
45 deployment. Upon receipt of the proof, the sheriff shall extend the permit for a period to end 90
46 days after the permittee's deployment is scheduled to end. A permit that has been extended under
47 this section shall be valid throughout the State during the period of its extension.

48 (b) A military permittee's fixed duration permit that is not extended under subsection (a)
49 of this section and that expires during deployment shall remain valid during the deployment and
50 for 90 days after the end of the deployment as if the permit had not expired. The military permittee

1 may carry a concealed handgun during this period provided the permittee meets all the
2 requirements of G.S. 14-415.11(a).

3 (c) A military permittee under subsection (a) or subsection (b) of this section shall have
4 90 days after the end of the permittee's deployment to renew the fixed duration permit. In addition
5 to the requirements of G.S. 14-415.16, the permittee shall provide to the sheriff proof of
6 deployment. The sheriff shall renew the permit upon receipt of this documentation provided the
7 permittee otherwise remains qualified to hold a concealed handgun permit."

8 **SECTION 6.** Article 54B of Chapter 14 of the General Statutes is amended by adding
9 a new section to read:

10 **"§ 14-415.16B. Reissuance of a lifetime permit as a fixed duration permit.**

11 The holder of a lifetime permit may apply at any time to have the lifetime permit reissued as
12 a fixed duration permit. An application for reissuance shall be submitted by the permittee and
13 considered by the sheriff in the same manner as an application for renewal of a fixed duration
14 permit pursuant to the applicable provisions of G.S. 14-415.16."

15 **SECTION 7.** G.S. 14-415.17 reads as rewritten:

16 **"§ 14-415.17. Permit; sheriff to retain a list of permittees; confidentiality of list and permit**
17 **application information; availability to law enforcement agencies.**

18 (a) The permit shall be in a certificate form, as prescribed by the State Bureau of
19 Investigation, that is approximately the size of a North Carolina drivers license. It shall bear the
20 signature, name, address, date of birth, and the drivers license identification number used in
21 applying for the permit. A lifetime permit shall bear a clear indication of its lifetime duration on
22 its face. A fixed duration permit shall bear the expiration date of the permit on its face.

23 (b) The sheriff shall maintain a listing, including the identifying information, of those
24 persons who are issued a ~~permit~~-permit and whether the permit issued is a fixed duration permit
25 or a lifetime permit. Within five days of the date a permit is issued, the sheriff shall send a copy
26 of the permit to the State Bureau of Investigation.

27 (c) Except as provided otherwise by this subsection, the list of permit holders and the
28 information collected by the sheriff to process an application for a permit are confidential and
29 are not a public record under G.S. 132-1. The sheriff shall make the list of permit holders and the
30 permit information available upon request to all State and local law enforcement agencies. The
31 State Bureau of Investigation shall make the list of permit holders and the information collected
32 by the sheriff to process an application for a permit available to law enforcement officers and
33 clerks of court on a statewide system.

34 (d) A sheriff shall provide any change of permanent address received pursuant to
35 G.S. 14-415.11(d) to the State Bureau of Investigation for inclusion in the statewide system
36 required by subsection (c) of this section."

37 **SECTION 8.** G.S. 14-415.18(a) reads as rewritten:

38 "(a) The sheriff of the county where the permit was issued or the sheriff of the county
39 where the person resides may revoke a permit subsequent to a hearing for any of the following
40 reasons:

- 41 (1) Fraud or intentional and material misrepresentation in the obtaining of a
42 permit.
- 43 (2) Misuse of a permit, including lending or giving a permit or a duplicate permit
44 to another person, materially altering a permit, or using a permit with the intent
45 to unlawfully cause harm to a person or property. It shall not be considered
46 misuse of a permit to provide a duplicate of the permit to a ~~vender~~-vendor for
47 record-keeping purposes.
- 48 (3) The doing of an act or existence of a condition which would have been
49 grounds for the denial of the permit by the sheriff.
- 50 (4) The violation of any of the terms of this Article.
- 51 (5) Repealed by Session Laws 2013-369, s. 20, effective October 1, 2013.

(6) The person is no longer a resident of the State.

A permittee may appeal the ~~revocation, or nonrenewal~~ revocation of a permit by petitioning a district court judge of the district in which the applicant resides. The determination by the court, on appeal, shall be upon the facts, the law, and the reasonableness of the sheriff's refusal."

SECTION 9. G.S. 14-415.19 reads as rewritten:

"§ 14-415.19. Fees.

(a) The permit fees assessed under this Article are payable to the sheriff. The sheriff shall transmit the proceeds of these fees to the county finance officer to be remitted or credited by the county finance officer in accordance with the provisions of this section. Except as otherwise provided by this section, the permit fees are as follows:

Application fee	\$80.00
Renewal <u>or reissuance</u> fee	\$75.00
Duplicate permit fee	\$15.00

The county finance officer shall remit forty-five dollars (\$45.00) of each new application fee and forty dollars (\$40.00) of each renewal or reissuance fee assessed under this subsection to the North Carolina Department of Public Safety for the costs of State and federal criminal record checks performed in connection with processing applications and for the implementation of the provisions of this Article. The remaining thirty-five dollars (\$35.00) of each ~~application or renewal~~ application, renewal, or reissuance fee shall be used by the sheriff to pay the costs of administering this Article and for other law enforcement purposes. The county shall expend the restricted funds for these purposes only.

(a1) The permit fees for a retired sworn law enforcement officer who provides the information required by subdivisions (1) and (2) of this subsection to the sheriff, in addition to any other information required under this Article, are as follows:

Application fee	\$45.00
Renewal <u>or reissuance</u> fee	\$40.00

- (1) A copy of the officer's letter of retirement from either the North Carolina Teachers' and State Employees' Retirement System or the North Carolina Local Governmental Employees' Retirement System.
- (2) Written documentation from the head of the agency where the person was previously employed indicating that the person was neither involuntarily terminated nor under administrative or criminal investigation within six months of retirement.

The county finance officer shall remit the proceeds of the fees assessed under this subsection to the North Carolina Department of Public Safety to cover the cost of performing the State and federal criminal record checks performed in connection with processing applications and for the implementation of the provisions of this Article.

(b) An additional fee, not to exceed ten dollars (\$10.00), shall be collected by the sheriff from an applicant for a permit to pay for the costs of processing the applicant's fingerprints, if fingerprints were required to be taken. This fee shall be retained by the sheriff."

SECTION 10. G.S. 17C-6(a) reads as rewritten:

"(a) In addition to powers conferred upon the Commission elsewhere in this Article, the Commission shall have the following powers, which shall be enforceable through its rules and regulations, certification procedures, or the provisions of G.S. 17C-10:

- ...
- (16) Establish standards and guidelines for the annual firearms certification of qualified retired law enforcement officers, as defined in ~~G.S. 14-415.10(4b)~~,

1 G.S. 14-415.10, to efficiently implement the provisions of G.S. 14-415.25.
2 The standards shall provide for the courses, qualifications, and the issuance of
3 the annual firearms qualification certification. The Commission may adopt
4 any rules necessary to effect the provisions of this section, and may charge a
5 reasonable fee to applicants for the costs incurred in compliance with this
6 subdivision.

7"

8 **SECTION 11.** G.S. 14-269(a1) reads as rewritten:

9 "(a1) It shall be unlawful for any person willfully and intentionally to carry concealed about
10 his or her person any pistol or gun except in the following circumstances:

- 11 (1) The person is on the person's own premises.
- 12 (2) The deadly weapon is a handgun, the person has a concealed handgun permit
13 issued in accordance with Article 54B of this Chapter or considered valid
14 under G.S. 14-415.24, and the person is carrying the concealed handgun in
15 accordance with the scope of the concealed handgun permit as set out in
16 G.S. 14-415.11(c).
- 17 (3) The deadly weapon is a handgun and the person is a military permittee as
18 defined under ~~G.S. 14-415.10(2a)~~ G.S. 14-415.10 who provides to the law
19 enforcement officer proof of deployment as required under
20 G.S. 14-415.11(a)."

21 **SECTION 12.** This act becomes effective December 1, 2023, and applies to all
22 permits issued or renewed on or after that date.