



# SENATE BILL 43: Protect Religious Meeting Places.

2021-2022 General Assembly

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<b>Committee:</b>		<b>Date:</b>	February 2, 2022
<b>Introduced by:</b>	Sens. Britt, Daniel, Johnson	<b>Prepared by:</b>	Robert Ryan
<b>Analysis of:</b>	Ratified		Staff Attorney

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## **OVERVIEW:** *Senate Bill 43 would:*

- *Authorize carrying 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 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.*
- *Authorize certain law enforcement facility employees to carry a concealed handgun in the facility.*

*Senate Bill 43 was ratified by the General Assembly on June 9, 2021, and vetoed by the Governor on June 18, 2021.*

## **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:** This ratified bill would have created 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

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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 ratified bill would have also added 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:** Senate Bill 43 was ratified by the General Assembly on June 9, 2021, and vetoed by the Governor on June 18, 2021.