

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 200
Committee Substitute Favorable 5/11/21
Corrected Copy 5/11/21

Short Title: Lifetime Concealed Handgun Permit.

(Public)

Sponsors:

Referred to:

March 3, 2021

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)~~(2) 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 (3) 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)~~(4) 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 (5) Lifetime permit. – A concealed handgun permit issued in accordance with the
18 provisions of this Article with no expiration date.

19 ~~(2a)~~(6) 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)~~(7) Permit. – ~~A concealed handgun permit~~ fixed duration permit or lifetime permit
24 issued in accordance with the provisions of this Article.

25 ~~(3a)~~(8) Proof of deployment. – A copy of the military permittee's deployment orders
26 or other written notification from the permittee's command indicating the start
27 and end date of deployment and that orders the permittee to travel outside the
28 permittee's county of residence.

29 (4)(9) Qualified former sworn law enforcement officer. – An individual who retired
30 from service as a law enforcement officer with a local, State, campus police,
31 or company police agency in North Carolina, other than for reasons of mental
32 disability, who has been retired as a sworn law enforcement officer two years
33 or less from the date of the permit application, and who satisfies all of the
34 following:



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- 1 a. Immediately before retirement, the individual was a qualified law
2 enforcement officer with a local, State, or company police agency in
3 North Carolina.
- 4 b. The individual has a nonforfeitable right to benefits under the
5 retirement plan of the local, State, or company police agency as a law
6 enforcement officer; or has 20 or more aggregate years of law
7 enforcement service and has retired from a company police agency
8 that does not have a retirement plan; or has 20 or more aggregate years
9 of part-time or auxiliary law enforcement service.
- 10 c. The individual is not prohibited by State or federal law from receiving
11 a firearm.
- 12 ~~(4a)~~(10) Qualified retired correctional officer. – An individual who retired from
13 service as a State correctional officer, other than for reasons of mental
14 disability, who has been retired as a correctional officer two years or less from
15 the date of the permit application and who meets all of the following criteria:
- 16 a. Immediately before retirement, the individual met firearms training
17 standards of the Division of Adult Correction and Juvenile Justice of
18 the Department of Public Safety and was authorized by the Division
19 of Adult Correction and Juvenile Justice of the Department of Public
20 Safety to carry a handgun in the course of assigned duties.
- 21 b. The individual retired in good standing and was never a subject of a
22 disciplinary action by the Division of Adult Correction and Juvenile
23 Justice of the Department of Public Safety that would have prevented
24 the individual from carrying a handgun.
- 25 c. The individual has a vested right to benefits under the Teachers' and
26 State Employees' Retirement System of North Carolina established
27 under Article 1 of Chapter 135 of the General Statutes.
- 28 d. The individual is not prohibited by State or federal law from receiving
29 a firearm.
- 30 ~~(4b)~~(11) Qualified retired law enforcement officer. – An individual who meets the
31 definition of "qualified retired law enforcement officer" contained in section
32 926C of Title 18 of the United States Code.
- 33 ~~(4e)~~(12) Qualified retired probation or parole certified officer. – An individual who
34 retired from service as a State probation or parole certified officer, other than
35 for reasons of mental disability, who has been retired as a probation or parole
36 certified officer two years or less from the date of the permit application and
37 who meets all of the following criteria:
- 38 a. Immediately before retirement, the individual met firearms training
39 standards of the Division of Adult Correction and Juvenile Justice of
40 the Department of Public Safety and was authorized by the Division
41 of Adult Correction and Juvenile Justice of the Department of Public
42 Safety to carry a handgun in the course of duty.
- 43 b. The individual retired in good standing and was never a subject of a
44 disciplinary action by the Division of Adult Correction and Juvenile
45 Justice of the Department of Public Safety that would have prevented
46 the individual from carrying a handgun.
- 47 c. The individual has a vested right to benefits under the Teachers' and
48 State Employees' Retirement System of North Carolina established
49 under Article 1 of Chapter 135 of the General Statutes.
- 50 d. The individual is not prohibited by State or federal law from receiving
51 a firearm.

1 ~~(5)~~(13) Qualified sworn law enforcement officer. – A law enforcement officer
2 employed by a local, State, campus police, or company police agency in North
3 Carolina who satisfies all of the following:

- 4 a. The individual is authorized by the agency to carry a handgun in the
5 course of duty.
6 b. The individual is not the subject of a disciplinary action by the agency
7 that prevents the carrying of a handgun.
8 c. The individual meets the requirements established by the agency
9 regarding handguns."

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

11 "**§ 14-415.11. Permit to carry concealed handgun; scope of permit.**

12 (a) Any person who has a concealed handgun permit may carry a concealed handgun
13 unless otherwise specifically prohibited by law. The person shall carry the permit together with
14 valid identification whenever the person is carrying a concealed handgun, shall disclose to any
15 law enforcement officer that the person holds a valid permit and is carrying a concealed handgun
16 when approached or addressed by the officer, and shall display both the permit and the proper
17 identification upon the request of a law enforcement officer. In addition to these requirements, a
18 military permittee with a fixed duration permit whose permit has expired during deployment may
19 carry a concealed handgun during the 90 days following the end of deployment and before the
20 permit is renewed provided the permittee also displays proof of deployment to any law
21 enforcement officer.

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

26 ...

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

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

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

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

43 "**§ 14-415.16. Renewal of fixed duration permit.**

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

50 (b) The holder of a fixed duration permit shall apply to renew the permit within the
51 90-day period prior to its expiration date by filing with the sheriff of the county in which the

1 person resides a renewal form provided by the sheriff's office, an affidavit stating that the
2 permittee remains qualified under the criteria provided in this Article, a newly administered full
3 set of the permittee's fingerprints, and a renewal fee. The renewal form shall indicate whether the
4 holder of the permit would like the renewal to be issued as a fixed duration permit or a lifetime
5 permit.

6"

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

8 "**§ 14-415.16A. Permit extensions and renewals of fixed duration permits for deployed**
9 **military permittees.**

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

16 (b) A military permittee's fixed duration permit that is not extended under subsection (a)
17 of this section and that expires during deployment shall remain valid during the deployment and
18 for 90 days after the end of the deployment as if the permit had not expired. The military permittee
19 may carry a concealed handgun during this period provided the permittee meets all the
20 requirements of G.S. 14-415.11(a).

21 (c) A military permittee under subsection (a) or subsection (b) of this section shall have
22 90 days after the end of the permittee's deployment to renew the fixed duration permit. In addition
23 to the requirements of G.S. 14-415.16, the permittee shall provide to the sheriff proof of
24 deployment. The sheriff shall renew the permit upon receipt of this documentation provided the
25 permittee otherwise remains qualified to hold a concealed handgun permit."

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

28 "**§ 14-415.16B. Reissuance of a lifetime permit as a fixed duration permit.**

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

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

34 "**§ 14-415.17. Permit; sheriff to retain a list of permittees; confidentiality of list and permit**
35 **application information; availability to law enforcement agencies.**

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

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

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

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

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

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

- (1) Fraud or intentional and material misrepresentation in the obtaining of a permit.
(2) Misuse of a permit, including lending or giving a permit or a duplicate permit to another person, materially altering a permit, or using a permit with the intent to unlawfully cause harm to a person or property. It shall not be considered misuse of a permit to provide a duplicate of the permit to a vendor-vendor for record-keeping purposes.
(3) The doing of an act or existence of a condition which would have been grounds for the denial of the permit by the sheriff.
(4) The violation of any of the terms of this Article.
(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:

Table with 2 columns: Fee Name and Amount. Rows include Application fee (\$80.00), Renewal or reissuance fee (\$75.00), and 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:

Table with 2 columns: Fee Name and Amount. Rows include Application fee (\$45.00) and Renewal or reissuance 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.

- 1 (2) Written documentation from the head of the agency where the person was
2 previously employed indicating that the person was neither involuntarily
3 terminated nor under administrative or criminal investigation within six
4 months of retirement.

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

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

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

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

16 ...

- 17 (16) Establish standards and guidelines for the annual firearms certification of
18 qualified retired law enforcement officers, as defined in ~~G.S. 14-415.10(4b)~~,
19 G.S. 14-415.10(11), to efficiently implement the provisions of
20 G.S. 14-415.25. The standards shall provide for the courses, qualifications,
21 and the issuance of the annual firearms qualification certification. The
22 Commission may adopt any rules necessary to effect the provisions of this
23 section, and may charge a reasonable fee to applicants for the costs incurred
24 in compliance with this subdivision.

25"

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

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

- 29 (1) The person is on the person's own premises.
30 (2) The deadly weapon is a handgun, the person has a concealed handgun permit
31 issued in accordance with Article 54B of this Chapter or considered valid
32 under G.S. 14-415.24, and the person is carrying the concealed handgun in
33 accordance with the scope of the concealed handgun permit as set out in
34 G.S. 14-415.11(c).
35 (3) The deadly weapon is a handgun and the person is a military permittee as
36 defined under ~~G.S. 14-415.10(2a)~~ G.S. 14-415.10(6) who provides to the law
37 enforcement officer proof of deployment as required under
38 G.S. 14-415.11(a)."

39 **SECTION 12.** This act becomes effective December 1, 2021, and applies to all
40 permits issued or renewed on or after that date.

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