

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 578

Short Title: Concealed Carry/Lawful Purpose. (Public)

Sponsors: Representatives Pittman and Kidwell (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary 3, if favorable, Rules, Calendar, and Operations of the House

April 19, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE CONCEALED CARRY OF A PISTOL OR GUN EXCEPT
3 WHERE THE PISTOL OR GUN IS BEING CARRIED FOR AN ILLEGAL PURPOSE.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 14-269 reads as rewritten:

6 "§ 14-269. Carrying concealed weapons.

7 ...

8 (a1) It shall be unlawful for any person willfully and intentionally to carry concealed about
9 his or her person any pistol or gun ~~except in the following circumstances:~~for an illegal purpose.

10 (1) ~~The person is on the person's own premises.~~

11 (2) ~~The deadly weapon is a handgun, the person has a concealed handgun permit
12 issued in accordance with Article 54B of this Chapter or considered valid
13 under G.S. 14-415.24, and the person is carrying the concealed handgun in
14 accordance with the scope of the concealed handgun permit as set out in
15 G.S. 14-415.11(e).~~

16 (3) ~~The deadly weapon is a handgun and the person is a military permittee as
17 defined under G.S. 14-415.10(2a) who provides to the law enforcement
18 officer proof of deployment as required under G.S. 14-415.11(a).~~

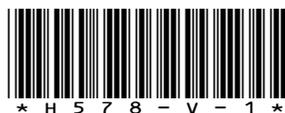
19 (a2) ~~This prohibition does not apply to a person who has a concealed handgun permit
20 issued in accordance with Article 54B of this Chapter, has a concealed handgun permit
21 considered valid under G.S. 14-415.24, or is exempt from obtaining a permit pursuant to
22 G.S. 14-415.25, provided the weapon is a handgun, is in a closed compartment or container
23 within the person's locked vehicle, and the vehicle is in a parking area that is owned or leased by
24 State government. A person may unlock the vehicle to enter or exit the vehicle, provided the
25 handgun remains in the closed compartment at all times and the vehicle is locked immediately
26 following the entrance or exit.~~

27 (b) ~~This~~The prohibition set forth in subsection (a) of this section shall not apply to any
28 of the following persons:

29 (1) Officers and enlisted personnel of the Armed Forces of the United States when
30 in discharge of their official duties as such and acting under orders requiring
31 them to carry arms and ~~weapons;~~weapons.

32 (2) Civil and law enforcement officers of the United ~~States;~~States.

33 (3) Officers and soldiers of the militia and the National Guard when called into
34 actual ~~service;~~service.



- 1 (3a) A member of the North Carolina National Guard who has been designated in
2 writing by the Adjutant General, State of North Carolina, who has a concealed
3 handgun permit issued in accordance with Article 54B of this Chapter or
4 considered valid under G.S. 14-415.24, and is acting in the discharge of his or
5 her official duties, provided that the member does not carry a concealed
6 weapon while consuming alcohol or an unlawful controlled substance or while
7 alcohol or an unlawful controlled substance remains in the member's body.
- 8 (4) Officers of the State, or of any county, city, town, or company police agency
9 charged with the execution of the laws of the State, when acting in the
10 discharge of their official ~~duties;~~duties.
- 11 (4a) Any person who is a district attorney, an assistant district attorney, or an
12 investigator employed by the office of a district attorney and who has a
13 concealed handgun permit issued in accordance with Article 54B of this
14 Chapter or considered valid under G.S. 14-415.24; provided that the person
15 shall not carry a concealed weapon at any time while in a courtroom or while
16 consuming alcohol or an unlawful controlled substance or while alcohol or an
17 unlawful controlled substance remains in the person's body. The district
18 attorney, assistant district attorney, or investigator shall secure the weapon in
19 a locked compartment when the weapon is not on the person of the district
20 attorney, assistant district attorney, or investigator. Notwithstanding the
21 provisions of this subsection, a district attorney may carry a concealed weapon
22 while in a ~~courtroom;~~courtroom.
- 23 (4b) Any person who is a qualified retired law enforcement officer as defined in
24 G.S. 14-415.10 and meets any one of the following conditions:
25 a. Is the holder of a concealed handgun permit in accordance with Article
26 54B of this Chapter.
27 b. Is exempt from obtaining a permit pursuant to G.S. 14-415.25.
28 c. Is certified by the North Carolina Criminal Justice Education and
29 Training Standards Commission pursuant to
30 ~~G.S. 14-415.26;~~G.S. 14-415.26.
- 31 (4c) Detention personnel or correctional officers employed by the State or a unit
32 of local government who park a vehicle in a space that is authorized for their
33 use in the course of their duties may transport a firearm to the parking space
34 and store that firearm in the vehicle parked in the parking space, provided that:
35 (i) the firearm is in a closed compartment or container within the locked
36 vehicle, or (ii) the firearm is in a locked container securely affixed to the
37 ~~vehicle;~~vehicle.
- 38 (4d) Any person who is a North Carolina district court judge, North Carolina
39 superior court judge, or a North Carolina magistrate and who has a concealed
40 handgun permit issued in accordance with Article 54B of this Chapter or
41 considered valid under G.S. 14-415.24; provided that the person shall not
42 carry a concealed weapon at any time while consuming alcohol or an unlawful
43 controlled substance or while alcohol or an unlawful controlled substance
44 remains in the person's body. The judge or magistrate shall secure the weapon
45 in a locked compartment when the weapon is not on the person of the judge
46 or ~~magistrate;~~magistrate.
- 47 (4e) Any person who is serving as a clerk of court or as a register of deeds and who
48 has a concealed handgun permit issued in accordance with Article 54B of this
49 Chapter or considered valid under G.S. 14-415.24; provided that the person
50 shall not carry a concealed weapon at any time while consuming alcohol or an
51 unlawful controlled substance or while alcohol or an unlawful controlled

1 substance remains in the person's body. The clerk of court or register of deeds
2 shall secure the weapon in a locked compartment when the weapon is not on
3 the person of the clerk of court or register of deeds. This subdivision does not
4 apply to assistants, deputies, or other employees of the clerk of court or
5 register of ~~deeds;~~deeds.

- 6 (5) Sworn law-enforcement officers, when off-duty, provided that an officer does
7 not carry a concealed weapon while consuming alcohol or an unlawful
8 controlled substance or while alcohol or an unlawful controlled substance
9 remains in the officer's ~~body;~~body.

10 ...

11 (b1) It is a defense to a prosecution under this section ~~that;~~that all of the following
12 conditions were met:

- 13 (1) The weapon was not a ~~firearm;~~firearm.
14 (2) The defendant was engaged in, or on the way to or from, an activity in which
15 the defendant legitimately used the ~~weapon;~~weapon.
16 (3) The defendant possessed the weapon for that legitimate ~~use;~~ and use.
17 (4) The defendant did not use or attempt to use the weapon for an illegal purpose.

18 The burden of proving this defense is on the defendant.

19 ~~(b2) It is a defense to a prosecution under this section that:~~

- 20 ~~(1) The deadly weapon is a handgun;~~
21 ~~(2) The defendant is a military permittee as defined under G.S. 14-415.10(2a);~~
22 ~~and~~
23 ~~(3) The defendant provides to the court proof of deployment as defined under~~
24 ~~G.S. 14-415.10(3a).~~

25"

26 **SECTION 2.** This act becomes effective December 1, 2021, and applies to offenses
27 committed on or after that date.