

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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SENATE BILL 893

Short Title: Guarding Freedoms & Public Safety Act. (Public)

Sponsors: Senators Batch and Garrett (Primary Sponsors).

Referred to: Rules and Operations of the Senate

May 6, 2024

1 A BILL TO BE ENTITLED  
2 AN ACT TO EXEMPT FIREARM SAFETY AND STORAGE ITEMS FROM THE SALES  
3 TAX AND TO INCREASE THE PUNISHMENT FOR POSSESSING, CARRYING, OR  
4 HAVING ACCESS TO A FIREARM IN A PROHIBITED AREA.

5 The General Assembly of North Carolina enacts:

6  
7 **FIREARM SAFETY AND STORAGE ITEM SALES TAX EXEMPTION**

8 **SECTION 1.(a)** G.S. 105-164.3 is amended by adding a new subdivision to read:

9 "(88) Firearm safety equipment. – An enclosure or a device, other than one that is  
10 part of the design of a firearm, that is intended to prevent access to, or  
11 unintentional or unauthorized use of, the firearm."

12 **SECTION 1.(b)** G.S. 105-164.13 is amended by adding a new subdivision to read:

13 "(74) Firearm safety equipment."

14 **SECTION 1.(c)** This section becomes effective October 1, 2024, and applies to sales  
15 made on or after that date.

16  
17 **INCREASE PUNISHMENT FOR POSSESSING, CARRYING, OR HAVING ACCESS**  
18 **TO A FIREARM IN PROHIBITED AREAS**

19 **SECTION 2.(a)** G.S. 14-269.2 reads as rewritten:

20 "**§ 14-269.2. Weapons on campus or other educational property.**

21 ...

22 (b) It shall be a Class ~~H~~ felony for any person knowingly to possess or carry, whether  
23 openly or concealed, any gun, rifle, pistol, or other firearm of any kind on educational property  
24 or to a curricular or extracurricular activity sponsored by a school. Unless the conduct is covered  
25 under some other provision of law providing greater punishment, any person who willfully  
26 discharges a firearm of any kind on educational property is guilty of a Class ~~F~~E felony. However,  
27 this subsection does not apply to a BB gun, stun gun, air rifle, or air pistol.

28 ...

29 (c) It shall be a Class ~~H~~ felony for any person to cause, encourage, or aid a minor who  
30 is less than 18 years old to possess or carry, whether openly or concealed, any gun, rifle, pistol,  
31 or other firearm of any kind on educational property. However, this subsection does not apply to  
32 a BB gun, stun gun, air rifle, or air pistol.

33 ...

34 (f) Notwithstanding subsection (b) of this section it shall be a Class ~~1-misdemeanor~~  
35 felony rather than a Class ~~H~~ felony for any person to possess or carry, whether openly or



1 concealed, any gun, rifle, pistol, or other firearm of any kind, on educational property or to a  
2 curricular or extracurricular activity sponsored by a school if:

- 3 (1) The person is not a student attending school on the educational property or an  
4 employee employed by the school working on the educational property; and  
5 (1a) The person is not a student attending a curricular or extracurricular activity  
6 sponsored by the school at which the student is enrolled or an employee  
7 attending a curricular or extracurricular activity sponsored by the school at  
8 which the employee is employed; and  
9 (2) Repealed by Session Laws 1999-211, s. 1, effective December 1, 1999, and  
10 applicable to offenses committed on or after that date.  
11 (3) The firearm is not loaded, is in a motor vehicle, and is in a locked container  
12 or a locked firearm rack.  
13 (4) Repealed by Session Laws 1999-211, s. 1, effective December 1, 1999, and  
14 applicable to offenses committed on or after that date.

15 ...."

16 **SECTION 2.(b)** G.S. 14-269.4 reads as rewritten:

17 **"§ 14-269.4. Weapons on certain State property and in courthouses.**

18 It shall be unlawful for any person to possess, or carry, whether openly or concealed, any  
19 deadly weapon, not used solely for instructional or officially sanctioned ceremonial purposes in  
20 the State Capitol Building, the Executive Mansion, the Western Residence of the Governor, or  
21 on the grounds of any of these buildings, and in any building housing any court of the General  
22 Court of Justice. If a court is housed in a building containing nonpublic uses in addition to the  
23 court, then this prohibition shall apply only to that portion of the building used for court purposes  
24 while the building is being used for court purposes.

25 This section shall not apply to any of the following:

- 26 (1) Repealed by S.L. 1997-238, s. 3, effective June 27, 1997.  
27 (1a) A person exempted by the provisions of G.S. 14-269(b).  
28 (2) through (4) Repealed by S.L. 1997-238, s. 3, effective June 27, 1997,  
29 (4a) Any person in a building housing a court of the General Court of Justice in  
30 possession of a weapon for evidentiary purposes, to deliver it to a  
31 law-enforcement agency, or for purposes of registration.  
32 (4b) Any district court judge or superior court judge who carries or possesses a  
33 concealed handgun in a building housing a court of the General Court of  
34 Justice if the judge is in the building to discharge his or her official duties and  
35 the judge has a concealed handgun permit issued in accordance with Article  
36 54B of this Chapter or considered valid under G.S. 14-415.24.  
37 (4c) Firearms in a courthouse, carried by detention officers employed by and  
38 authorized by the sheriff to carry firearms.  
39 (4d) Any magistrate who carries or possesses a concealed handgun in any portion  
40 of a building housing a court of the General Court of Justice other than a  
41 courtroom itself unless the magistrate is presiding in that courtroom, if the  
42 magistrate (i) is in the building to discharge the magistrate's official duties,  
43 (ii) has a concealed handgun permit issued in accordance with Article 54B of  
44 this Chapter or considered valid under G.S. 14-415.24, (iii) has successfully  
45 completed a one-time weapons retention training substantially similar to that  
46 provided to certified law enforcement officers in North Carolina, and (iv)  
47 secures the weapon in a locked compartment when the weapon is not on the  
48 magistrate's person.  
49 (5) State-owned rest areas, rest stops along the highways, and State-owned  
50 hunting and fishing reservations.

1 (6) A person with a permit issued in accordance with Article 54B of this Chapter,  
2 with a permit considered valid under G.S. 14-415.24, or who is exempt from  
3 obtaining a permit pursuant to G.S. 14-415.25, who has a firearm in a closed  
4 compartment or container within the person's locked vehicle or in a locked  
5 container securely affixed to the person's vehicle. A person may unlock the  
6 vehicle to enter or exit the vehicle provided the firearm remains in the closed  
7 compartment at all times and the vehicle is locked immediately following the  
8 entrance or exit.

9 (7) Any person who carries or possesses an ordinary pocket knife, as defined in  
10 G.S. 14-269(d), carried in a closed position into the State Capitol Building or  
11 on the grounds of the State Capitol Building.

12 ~~Any person violating the provisions of this section shall be guilty of a Class 1 misdemeanor. A~~  
13 ~~violation of this section involving the carrying or possessing of a firearm is a Class I felony. Any~~  
14 ~~other violation of this section is a Class 1 misdemeanor."~~

15 **SECTION 2.(c)** G.S. 14-415.21 reads as rewritten:

16 "**§ 14-415.21. ~~Violations~~Punishment for violations of this Article punishable as an**  
17 **infraction.Article.**

18 (a) A person who has been issued a valid permit who is found to be carrying a concealed  
19 handgun without the permit in the person's possession or who fails to disclose to any law  
20 enforcement officer that the person holds a valid permit and is carrying a concealed handgun, as  
21 required by G.S. 14-415.11, shall be guilty of an infraction and shall be punished in accordance  
22 with G.S. 14-3.1. Any person who has been issued a valid permit who is found to be carrying a  
23 concealed handgun in violation of ~~G.S. 14-415.11(e)(8)~~G.S. 14-415.11(c) shall be guilty of ~~an~~  
24 ~~infraction and may be required to pay a fine of up to five hundred dollars (\$500.00). In lieu of~~  
25 ~~paying a fine the person may surrender the permit.~~a Class I felony.

26 (a1) A person who has been issued a valid permit who is found to be carrying a concealed  
27 handgun in violation of subsection (c2) of G.S. 14-415.11 shall be guilty of a Class 1  
28 misdemeanor.

29 (b) A person who violates the provisions of this Article other than as set forth in  
30 subsection (a) or (a1) of this section is guilty of a Class 2 misdemeanor."

31 **SECTION 2.(d)** G.S. 14-277.2(a) reads as rewritten:

32 "(a) It shall be unlawful for any person participating in, affiliated with, or present as a  
33 spectator at any parade, funeral procession, picket line, or demonstration upon any private health  
34 care facility or upon any public place owned or under the control of the State or any of its political  
35 subdivisions to willfully or intentionally possess or have immediate access to any dangerous  
36 weapon. ~~Violation~~A violation of this subsection involving the possession of or access to a firearm  
37 shall be a Class I felony. Any other violation of this subsection shall be a Class 1 misdemeanor.  
38 It shall be presumed that any rifle or gun carried on a rack in a pickup truck at a holiday parade  
39 or in a funeral procession does not violate the terms of this act."

40 **SECTION 2.(e)** G.S. 14-269.3(a) reads as rewritten:

41 "(a) It shall be unlawful for any person to carry any gun, rifle, or pistol into any assembly  
42 where a fee has been charged for admission thereto, or into any establishment in which alcoholic  
43 beverages are sold and consumed. Any person violating the provisions of this section shall be  
44 guilty of a Class ~~1 misdemeanor.~~I felony."

45 **SECTION 2.(d)** This section becomes effective October 1, 2024, and applies to  
46 offenses committed on or after that date.

#### 47 **EFFECTIVE DATE**

48 **SECTION 3.** Except as otherwise provided, this act becomes effective October 1,  
49 2024.  
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