

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H

1

HOUSE BILL 674

Short Title: The Firearms Liberty Act. (Public)

Sponsors: Representatives Adams, Kidwell, Eddins, and Carson Smith (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary 2, if favorable, State and Local Government, if favorable, Rules,
Calendar, and Operations of the House

April 3, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE ISSUANCE OF LIFETIME CONCEALED HANDGUN
3 PERMITS, TO PROVIDE THAT A CONCEALED CARRY PERMITTEE WHO ALLOWS
4 THE PERMIT TO LAPSE DOES NOT HAVE TO TAKE ANOTHER FIREARMS
5 SAFETY AND TRAINING COURSE UPON APPLYING FOR RENEWAL UNDER
6 CERTAIN CONDITIONS, TO PROTECT THE PROPERTY RIGHTS OF PERSONS
7 SUBJECT TO A DOMESTIC VIOLENCE PROTECTIVE ORDER BY ALLOWING
8 THEM TO STORE THEIR FIREARMS WITH OR SELL THEIR FIREARMS THROUGH
9 A QUALIFIED LICENSED FIREARMS DEALER, AND TO AUTHORIZE THE
10 STORAGE AND USE OF DEFENSIVE DEVICES IN BIOMETRIC SAFES FOR
11 SCHOOLS.

12 The General Assembly of North Carolina enacts:

13
14 **PART I. TITLE**

15 **SECTION 1.1.** This act shall be known as "The Firearms Liberty Act."

16
17 **PART II. LIFETIME CONCEALED HANDGUN PERMITS**

18 **SECTION 2.1.** G.S. 14-415.10 reads as rewritten:

19 **"§ 14-415.10. Definitions.**

20 The following definitions apply to this Article:

21 (1) Carry a concealed handgun. – The term includes possession of a concealed
22 handgun.

23 ~~(1a)~~(2) Deployed or deployment. – Any military duty that removes a military
24 permittee from the permittee's county of residence during which time the
25 permittee's permit expires or will expire.

26 (3) Fixed duration permit. – A concealed handgun permit issued in accordance
27 with the provisions of this Article and with a stated expiration date.

28 ~~(2)~~(4) Handgun. – A firearm that has a short stock and is designed to be held and
29 fired by the use of a single hand.

30 (5) Lifetime permit. – A concealed handgun permit issued in accordance with the
31 provisions of this Article with no expiration date.

32 ~~(2a)~~(6) Military permittee. – A person who holds a permit who is also a member of
33 the Armed Forces of the United States, the reserve components of the Armed



* H 6 7 4 - V - 1 *

- Forces of the United States, the North Carolina Army National Guard, or the North Carolina Air National Guard.
- (3)(7) ~~Permit.~~ – A ~~concealed handgun permit~~ fixed duration permit or lifetime permit issued in accordance with the provisions of this Article.
- (3a)(8) ~~Proof of deployment.~~ – A copy of the military permittee's deployment orders or other written notification from the permittee's command indicating the start and end date of deployment and that orders the permittee to travel outside the permittee's county of residence.
- (4)(9) ~~Qualified former sworn law enforcement officer.~~ – An individual who retired from service as a law enforcement officer with a local, State, campus police, or company police agency in North Carolina, other than for reasons of mental disability, who has been retired as a sworn law enforcement officer two years or less from the date of the permit application, and who satisfies all of the following:
- a. Immediately before retirement, the individual was a qualified law enforcement officer with a local, State, or company police agency in North Carolina.
 - b. The individual has a nonforfeitable right to benefits under the retirement plan of the local, State, or company police agency as a law enforcement officer; or has 20 or more aggregate years of law enforcement service and has retired from a company police agency that does not have a retirement plan; or has 20 or more aggregate years of part-time or auxiliary law enforcement service.
 - c. The individual is not prohibited by State or federal law from receiving a firearm.
- (4a)(10) ~~Qualified retired correctional officer.~~ – An individual who retired from service as a State correctional officer, other than for reasons of mental disability, who has been retired as a correctional officer two years or less from the date of the permit application and who meets all of the following criteria:
- ...
- (4b)(11) ~~Qualified retired law enforcement officer.~~ – An individual who meets the definition of "qualified retired law enforcement officer" contained in section 926C of Title 18 of the United States Code.
- (4e)(12) ~~Qualified retired probation or parole certified officer.~~ – An individual who retired from service as a State probation or parole certified officer, other than for reasons of mental disability, who has been retired as a probation or parole certified officer two years or less from the date of the permit application and who meets all of the following criteria:
- ...
- (5)(13) ~~Qualified sworn law enforcement officer.~~ – A law enforcement officer employed by a local, State, campus police, or company police agency in North Carolina who satisfies all of the following:
-"

SECTION 2.2. G.S. 14-415.11 reads as rewritten:

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

(a) Any person who has a ~~concealed handgun permit~~ to carry a concealed handgun may carry a concealed handgun unless otherwise specifically prohibited by law. The person shall carry the permit together with valid identification whenever the person is carrying a concealed handgun, shall disclose to any law enforcement officer that the person holds a valid permit and is carrying a concealed handgun when approached or addressed by the officer, and shall display both the permit and the proper identification upon the request of a law enforcement officer. In

1 addition to these requirements, a military permittee with a fixed duration permit whose permit
2 has expired during deployment may carry a concealed handgun during the 90 days following the
3 end of deployment and before the permit is renewed provided the permittee also displays proof
4 of deployment to any law enforcement officer.

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

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

16 **SECTION 2.3.** G.S. 14-415.14(a) reads as rewritten:

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

25 **SECTION 2.4.** G.S. 14-415.15 reads as rewritten:

26 **"§ 14-415.15. Issuance or denial of permit.**

27 (a) Except as permitted under subsection (b) of this section, within 45 days after receipt
28 of the items listed in G.S. 14-415.13 from an applicant, and receipt of the required records
29 concerning the mental health or capacity of the applicant, the sheriff shall either issue or deny
30 the permit. The sheriff may conduct any investigation necessary to determine the qualification or
31 competency of the person applying for the permit, including record checks. The sheriff shall
32 make the request for any records concerning the mental health or capacity of the applicant within
33 10 days of receipt of the items listed in G.S. 14-415.13. No person, company, mental health
34 provider, or governmental entity may charge additional fees to the applicant for background
35 checks conducted under this subsection. A permit shall not be denied unless the applicant is
36 determined to be ineligible pursuant to G.S. 14-415.12.

37 (b) Upon presentment to the sheriff of the items required under G.S. 14-415.13 (a)(1),
38 (2), and (3), the sheriff may issue a temporary permit for a period not to exceed 45 days to a
39 person who the sheriff reasonably believes is in an emergency situation that may constitute a risk
40 of safety to the person, the person's family or property. The applicant may submit proof of a
41 protective order issued under G.S. 50B-3 for the protection of the applicant as evidence of an
42 emergency situation. The temporary permit may not be renewed and may be revoked by the
43 sheriff without a hearing.

44 (c) A person's application for a permit shall be denied only if the applicant fails to qualify
45 under the criteria listed in this Article. If the sheriff denies the application for a permit, the sheriff
46 shall, within 45 days, notify the applicant in writing, stating the grounds for denial. An applicant
47 may appeal the ~~denial, revocation, denial of a permit or the nonrenewal of a fixed duration permit~~
48 by petitioning a district court judge of the district in which the application was filed. The
49 determination by the court, on appeal, shall be upon the facts, the law, and the reasonableness of
50 the sheriff's refusal. The determination by the court shall be ~~final~~ final for the purpose of appeal."

1 **SECTION 2.5.** G.S. 14-415.16, as amended by Section 3.1 of this act, reads as
2 rewritten:

3 **"§ 14-415.16. Renewal of fixed duration permit.**

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

10 (b) The holder of a fixed duration permit shall apply to renew the permit within the
11 90-day period prior to its expiration date by filing with the sheriff of the county in which the
12 person resides a renewal form provided by the sheriff's office, an affidavit stating that the
13 permittee remains qualified under the criteria provided in this Article, a newly administered full
14 set of the permittee's fingerprints, and a renewal fee. The renewal form shall indicate whether the
15 holder of the permit would like the renewal to be issued as a fixed duration permit or a lifetime
16 permit.

17 ...

18 (e) If the permittee does not apply to renew the fixed duration permit prior to its
19 expiration date, but does apply to renew the permit less than 180 days after the permit expires,
20 the sheriff shall waive the requirement of taking another firearms safety and training course. If
21 the permittee applies to renew the permit between 180 days and one year after the permit expires,
22 the sheriff may waive the requirement of taking another firearms and safety training course. This
23 subsection does not extend the expiration date of the fixed duration permit.

24 (f) An applicant may appeal the nonrenewal of a fixed duration permit as provided in
25 G.S. 14-415.15(c)."

26 **SECTION 2.6.** G.S. 14-415.16A reads as rewritten:

27 **"§ 14-415.16A. Permit extensions and renewals of fixed duration permits for deployed**
28 **military permittees.**

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

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

41 (c) A military permittee under subsection (a) or subsection (b) of this section shall have
42 90 days after the end of the permittee's deployment to renew the fixed duration permit. In addition
43 to the requirements of G.S. 14-415.16, the permittee shall provide to the sheriff proof of
44 deployment. The sheriff shall renew the permit upon receipt of this documentation provided the
45 permittee otherwise remains qualified to hold a concealed handgun permit."

46 **SECTION 2.7.** Article 54B of Chapter 14 of the General Statutes is amended by
47 adding a new section to read:

48 **"§ 14-415.16B. Reissuance of a lifetime permit as a fixed duration permit.**

49 The holder of a lifetime permit may apply at any time to have the lifetime permit reissued as
50 a fixed duration permit. An application for reissuance shall be submitted by the permittee and

considered by the sheriff in the same manner as an application for renewal of a fixed duration permit pursuant to the applicable provisions of G.S. 14-415.16."

SECTION 2.8. G.S. 14-415.17 reads as rewritten:

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

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

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

(c) Except as provided otherwise by this subsection, the list of permit holders and the information collected by the sheriff to process an application for a permit are confidential and are not a public record under G.S. 132-1. The sheriff shall make the list of permit holders and the permit information available upon request to all State and local law enforcement agencies. The State Bureau of Investigation shall make the list of permit holders and the information collected by the sheriff to process an application for a permit available to law enforcement officers and 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 2.9. 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 ~~vender~~ 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. The determination by the court shall be final for the purpose of appeal."

SECTION 2.10. 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 2.11. 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)~~, G.S. 14-415.10(11), to efficiently implement the provisions of G.S. 14-415.25. The standards shall provide for the courses, qualifications, and the issuance of the annual firearms qualification certification. The Commission may adopt any rules necessary to effect the provisions of this section, and may charge a reasonable fee to applicants for the costs incurred in compliance with this subdivision.

...."

SECTION 2.12. G.S. 14-269(a1) reads as rewritten:

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

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

SECTION 2.13. This Part becomes effective December 1, 2025, and applies to all permits issued or renewed on or after that date.

PART III. REVISE LAW ON LAPSE OF CONCEALED CARRY PERMIT

SECTION 3.1. G.S. 14-415.16(e) reads as rewritten:

"(e) If the permittee does not apply to renew the permit prior to its expiration date, but does apply to renew the permit ~~within 60~~ less than 180 days after the permit expires, the sheriff ~~may~~ shall waive the requirement of taking another firearms safety and training course. If the permittee applies to renew the permit between 180 days and one year after the permit expires, the sheriff may waive the requirement of taking another firearms and safety training course. This subsection does not extend the expiration date of the permit."

SECTION 3.2. This Part becomes effective October 1, 2025, and applies to renewal applications submitted on or after that date.

PART IV. PROPERTY PROTECTION ACT/DVPO

SECTION 4.1. G.S. 50B-3.1 reads as rewritten:

"§ 50B-3.1. Surrender and disposal of firearms; violations; exemptions.

(a) Required Surrender of Firearms. – Upon issuance of an emergency or ex parte order pursuant to this Chapter, the court shall order the defendant to surrender to the sheriff all firearms, machine guns, ammunition, permits to purchase firearms, and permits to carry concealed firearms that are in the care, custody, possession, ownership, or control of the defendant if the court finds any of the following factors:

- (1) The use or threatened use of a deadly weapon by the defendant or a pattern of prior conduct involving the use or threatened use of violence with a firearm against persons.
- (2) Threats to seriously injure or kill the aggrieved party or minor child by the defendant.
- (3) Threats to commit suicide by the defendant.
- (4) Serious injuries inflicted upon the aggrieved party or minor child by the defendant.

...

(d) Surrender. – Upon service of the order, the defendant shall immediately surrender to the sheriff possession of all firearms, machine guns, ammunition, permits to purchase firearms, and permits to carry concealed firearms that are in the care, custody, possession, ownership, or control of the defendant. In the event that weapons cannot be surrendered at the time the order is served, the defendant shall surrender the firearms, ammunitions, and permits to the sheriff within 24 hours of service at a time and place specified by the sheriff. The sheriff shall store the firearms or contract with a licensed firearms dealer to provide storage.

- (1) If the court orders the defendant to surrender firearms, ammunition, and permits, the court shall inform the plaintiff and the defendant of the terms of the protective order and include these terms on the face of the order, including

that the defendant is prohibited from possessing, purchasing, or receiving or attempting to possess, purchase, or receive a firearm for so long as the protective order or any successive protective order is in effect. The terms of the order shall include instructions as to how the defendant may request retrieval of any firearms, ammunition, and permits surrendered to the sheriff when the protective order is no longer in effect. The terms shall also include notice of the penalty for violation of G.S. 14-269.8.

(2) The sheriff may charge the defendant a reasonable fee for the storage of any firearms and ammunition taken pursuant to a protective order. The fees are payable to the sheriff. The sheriff shall transmit the proceeds of these fees to the county finance officer. The fees shall be used by the sheriff to pay the costs of administering this section and for other law enforcement purposes. The county shall expend the restricted funds for these purposes only. The sheriff shall not release firearms, ammunition, or permits without a court order granting the release. The defendant must remit all fees owed prior to the authorized return of any firearms, ammunition, or permits. The sheriff shall not incur any civil or criminal liability for alleged damage or deterioration due to storage or transportation of any firearms or ammunition held pursuant to this section.

(d1) Transfer to Licensed Firearms Dealer. – After the defendant surrenders possession of all firearms, machine guns, ammunition, and permits to the sheriff pursuant to subsection (d) of this section, the defendant may enter into an agreement with a qualified licensed firearms dealer to take possession of the surrendered items from the custody of the sheriff if (i) the defendant is the owner of the items and (ii) the items have been in the custody of the sheriff at least 15 days. The defendant shall authorize the qualified licensed firearms dealer to submit the form provided for in this subsection requesting the transfer of the firearms, machine guns, and ammunition to the sheriff currently storing the items. The qualified licensed firearms dealer must present the completed form and a copy of the dealer's valid federal firearms license to the sheriff, who shall have 24 hours to facilitate the transfer of the firearms, machine guns, and ammunition to the dealer. Any funds received from the sale of a firearm, machine gun, or ammunition by a defendant pursuant to this subsection are the property of the defendant. The defendant's permits to purchase firearms and permits to carry concealed firearms shall remain in the care and custody of the sheriff as provided in subsection (d) of this section.

At the time a qualified licensed firearms dealer takes possession of the firearms, machine guns, and ammunition, the dealer shall provide a copy of the record required to be maintained under federal law upon the receipt or disposition of the firearm, machine gun, or ammunition to both the sheriff and the owner of the firearms, machine guns, and ammunition.

A qualified licensed firearms dealer that accepts firearms, machine guns, and ammunition pursuant to this subsection shall not (i) release the firearms, machine guns, or ammunition to the defendant unless the motion for a protective order is dismissed or any order of surrender has expired or (ii) transfer possession of the firearms, machine guns, or ammunition to any person the dealer knows or reasonably should know will allow the defendant to exercise care, custody, possession, ownership, or control of the firearms, machine guns, or ammunition, and any violation of this prohibition is a Class 2 misdemeanor.

The Administrative Office of the Courts shall create a form for use in transferring firearms, machine guns, and ammunition from the custody of the sheriff to a qualified licensed firearms dealer pursuant to this subsection. The form shall require the notarized signatures of both the defendant and the qualified licensed firearms dealer and shall allow for either the storage or sale of the firearms, machine guns, and ammunition by the qualified licensed firearms dealer. The form shall also include information concerning the defendant's rights to recover the surrendered firearms, machine guns, or ammunition.

1 The sheriff shall not charge a fee for the first 15 days of storage for any items transferred to
2 a qualified licensed firearms dealer pursuant to this subsection.

3 (e) Retrieval. – If the court does not enter a protective order when the ex parte or
4 emergency order expires, the defendant may retrieve any weapons surrendered to the sheriff or
5 the qualified licensed firearms dealer unless the court finds that the defendant is precluded from
6 owning or possessing a firearm pursuant to State or federal law or final disposition of any pending
7 criminal charges committed against the person that is the subject of the current protective order.

8 (f) ~~Motion-Request~~ for Return. – The defendant may request the return of any firearms,
9 ammunition, or permits surrendered by ~~filing a motion with the court~~ submitting a written request
10 with the sheriff or the qualified licensed firearms dealer who has control of the firearms,
11 ammunition, or permits at the expiration of the current order or final disposition of any pending
12 criminal charges committed against the person that is the subject of the current protective order
13 and not later than ~~90 days~~ 30 days after the expiration of the current order or final disposition of
14 any pending criminal charges committed against the person that is the subject of the current
15 protective order. Upon receipt of the ~~motion~~, request, the sheriff or the qualified licensed firearms
16 dealer shall conduct a check through the National Instant Criminal Background Check System
17 (NICS). If the results of the NICS check provide grounds that preclude the defendant from
18 owning or possessing a firearm under State or federal law, the sheriff or the qualified licensed
19 firearms dealer shall file a motion with the court on a form created by the Administrative Office
20 of the Courts and shall not return the firearms, ammunition, or permits until the court has ruled
21 on the motion. Upon receipt of the motion, the court shall schedule a hearing and provide written
22 notice to the plaintiff who shall have the right to appear and be heard and to the sheriff or the
23 qualified licensed firearms dealer who has control of the firearms, ammunition, or permits. The
24 court shall determine whether the defendant is subject to any State or federal law or court order
25 that precludes the defendant from owning or possessing a firearm. The inquiry shall include:

- 26 (1) Whether the protective order has been renewed.
- 27 (2) Whether the defendant is subject to any other protective orders.
- 28 (3) Whether the defendant is disqualified from owning or possessing a firearm
29 pursuant to 18 U.S.C. § 922 or any State law.
- 30 (4) Whether the defendant has any pending criminal charges, in either State or
31 federal court, committed against the person that is the subject of the current
32 protective order.

33 The court shall deny the return of firearms, ammunition, or permits if the court finds that the
34 defendant is precluded from owning or possessing a firearm pursuant to State or federal law or
35 if the defendant has any pending criminal charges, in either State or federal court, committed
36 against the person that is the subject of the current protective order until the final disposition of
37 those charges.

38 (g) Motion for Return by Third-Party Owner. – A third-party owner of firearms,
39 ammunition, or permits who is otherwise eligible to possess such items may file a motion
40 requesting the return to said third party of any such items in the possession of the sheriff or the
41 qualified licensed firearms dealer seized as a result of the entry of a domestic violence protective
42 order. The motion must be filed not later than 30 days after the seizure of the items by the sheriff.
43 Upon receipt of the third party's motion, the court shall schedule a hearing and provide written
44 notice to all parties and the ~~sheriff~~ sheriff or the qualified licensed firearms dealer. The court
45 shall order return of the items to the third party unless the court determines that the third party is
46 disqualified from owning or possessing said items pursuant to State or federal law. If the court
47 denies the return of said items to the third party, the items shall be disposed of by the sheriff or
48 the qualified licensed firearms dealer as provided in subsection (h) of this section.

49 (h) Disposal of Firearms. – If the defendant does not ~~file a motion requesting~~ submit a
50 written request for the return of any firearms, ammunition, or permits surrendered within the time
51 period prescribed by this section, if the court determines that the defendant is precluded from

regaining possession of any firearms, ammunition, or permits surrendered, or if the defendant or third-party owner fails to remit all fees owed for the storage of the firearms or ammunition within 30 days of the request for the return of firearms, ammunition, or permits or entry of the an order granting the return of the firearms, ammunition, or permits, the sheriff or the qualified licensed firearms dealer who has control of the firearms, ammunition, or permits shall give notice to the defendant, and the sheriff or the qualified licensed firearms dealer shall apply to the court for an order of disposition of the firearms, ammunition, or permits. The judge, after a hearing, may order the disposition of the firearms, ammunition, or permits in one or more of the ways authorized by law, including subdivision (4), (4b), (5), or (6) of G.S. 14-269.1. Additionally, for firearms and ammunition surrendered to a qualified licensed firearms dealer under subsection (d1) of this section, the judge may order the firearms and ammunition disposed of by sale by the qualified licensed firearms dealer. If a sale by the sheriff or a qualified licensed firearms dealer does occur, occur pursuant to this subsection, any proceeds from the sale after deducting any costs associated with the sale, sale and any storage fees owed to the sheriff or the qualified licensed firearms dealer, and in accordance with all applicable State and federal law, shall be provided to the defendant, if requested by the defendant by motion made before the hearing or at the hearing and if ordered by the judge.

(i) Failure to Surrender or Disclose. – It is unlawful for any person subject to a protective order prohibiting the possession or purchase of firearms ~~to do any of the following:~~

- (1) Fail to surrender all firearms, ammunition, permits to purchase firearms, and permits to carry concealed firearms to the sheriff as ordered by the ~~court;~~ court.
- (2) Fail to disclose all information pertaining to the possession of firearms, ammunition, and permits to purchase and permits to carry concealed firearms as requested by the ~~court;~~ court.
- (3) Provide false information to the court pertaining to any of these items.

...
(l) Construction. – Nothing in this section is intended to limit the discretion of the court in granting additional relief as provided in other sections of this Chapter.

(m) Qualified Licensed Firearms Dealer. – For purposes of this section, the term "qualified licensed firearms dealer" shall mean a federally licensed firearms dealer that meets all of the following requirements:

- (1) Operates a business in a commercial building located in the State.
- (2) Is open to the public.
- (3) Regularly engages in the purchase and sale of firearms with members of the public.

SECTION 4.2. This Part becomes effective December 1, 2025, and applies to orders issued on or after that date.

PART V. AUTHORIZE THE STORAGE AND USE OF DEFENSIVE DEVICES IN BIOMETRIC SAFES FOR SCHOOLS

SECTION 5.1. G.S. 14-269(b) reads as rewritten:

"(b) This prohibition shall not apply to the following persons:

- ...
- (10) A public school unit or nonpublic school employee who meets the following requirements:
 - a. The employee has completed annual training for a device classification, as required by G.S. 115C-105.52, to access any defensive device stored in a locked container that is securely affixed to the premises of the educational property and accessible by a biometric lock that limits access to only authorized employees with

training for defensive devices stored within the container or law enforcement officers.

- b. The employee accesses and uses a defensive device in response to a threatening situation in which force was justified pursuant to G.S. 14-51.3."

SECTION 5.2. G.S. 14-269.2(g) reads as rewritten:

"(g) This section shall not apply to any of the following:

...

- (8) A weapon that is a defensive device stored on educational property, as provided in G.S. 115C-105.52, or use of those devices by authorized employees in response to a threatening situation in which force was justified pursuant to G.S. 14-51.3."

SECTION 5.3. G.S. 115C-105.52 reads as rewritten:

"§ 115C-105.52. School Defensive device storage and school crisis kits.

(a) The following definitions apply in this section:

- (1) Authorized employee. – An employee of a public school unit or nonpublic school who meets all of the following requirements on an annual basis:
- a. Receives training meeting the standards established by the Center for Safer Schools for a device classification.
- b. Is designated by the public school unit as an employee that may access a defensive device storage container using that employee's biometric information.
- (2) Defensive device. – A device used to defend against the imminent use of unlawful force. A defensive device may include, but is not limited to, a disabling chemical spray, an electronic incapacitation device, or a firearm.
- (3) Defensive device storage container. – A locked container that is securely affixed to the premises of the educational property and accessible by a biometric lock that limits access to only authorized employees with training for any device classifications stored within the container or law enforcement officers.
- (4) Device classification. – A classification of a defensive device corresponding to the required training standards established by the Center for Safer Schools for use of that device by an employee of the school.
- (5) Nonpublic school. – A school that meets the requirements of Part 1 or 2 of Article 39 of this Chapter.

(b) Any public school unit or nonpublic school may provide for defensive devices on the educational property of the school if those defensive devices are stored in a defensive device storage container. The administrator for each school may affix one or more defensive device storage containers at appropriate locations in the school and may post signs alerting the public to the presence of the defensive device storage containers.

(c) No employee shall be required to complete training for any defensive device, regardless of device classification. Only employees that have completed the annual training for a device classification shall be eligible for biometric access to a defensive device storage container with that device classification.

(d) A public school unit, nonpublic school, or authorized employee shall not be liable in civil damages for any act or omission related to a defensive device unless the act or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing.

(e) The Center for Safer Schools, in consultation with the Department of Public Instruction and the Department of Public Safety, shall develop and adopt policies on the placement of school crisis kits in schools and on the contents of those kits. The kits shall include, at a minimum, basic first-aid supplies and communications devices.

(f) The principal of each school, in coordination with the law enforcement agencies that are part of the public school unit's School Risk Management Plan, may place one or more crisis kits at appropriate locations in the school."

SECTION 5.4. G.S. 143B-1209.59(c), as recodified under Section 3J.17 of S.L. 2024-57, reads as rewritten:

"(c) Powers and Duties. – The Center for Safer Schools shall have the following duties, and all other powers and duties provided in Article 8C of Chapter 115C of the General Statutes:

...

(11) Establish classifications of defensive devices and, in collaboration with the North Carolina Criminal Justice Education and Training Standards Commission, establish minimum training standards for school employees to qualify to access and use that classification of defensive device in a storage container with biometric locks. The minimum training standards shall be made publicly available for use of law enforcement or private entities to provide training meeting those standards."

SECTION 5.5. Public school units awarded school safety grants for safety equipment may use those grants to purchase defensive devices and defensive device storage containers and associated training for public school employees.

SECTION 5.6. The Center for Safer Schools shall establish classifications and training standards required by this section no later than January 1, 2026.

PART VI. MISCELLANEOUS

SECTION 6.1. Prosecutions for offenses committed before the effective date of this act are not abated or affected by this act, and the statutes that would be applicable but for this act remain applicable to those prosecutions.

SECTION 6.2. Except as otherwise provided, this act is effective when it becomes law.