

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 189
Committee Substitute Favorable 5/2/23
Committee Substitute #2 Favorable 5/3/23

Short Title: Freedom to Carry NC.

(Public)

Sponsors:

Referred to:

February 27, 2023

A BILL TO BE ENTITLED
AN ACT TO PROTECT A PERSON'S RIGHT TO CARRY A CONCEALED HANDGUN
WITHOUT A PERMIT AND TO CONTINUE ALLOWING PERSONS TO ACQUIRE A
CONCEALED HANDGUN PERMIT FOR THE PURPOSES OF RECIPROCITY OR FOR
ANY OTHER REASON DESIRED, AND TO AUTHORIZE OFFICIALS ELECTED IN
THE STATE TO CARRY A CONCEALED FIREARM WHILE PERFORMING THEIR
OFFICIAL DUTIES IF THE OFFICIAL HAS A CONCEALED HANDGUN PERMIT.

The General Assembly of North Carolina enacts:

PART I. REVISIONS TO CONCEALED CARRY LAWS

SECTION 1.1. G.S. 14-269 reads as rewritten:

"§ 14-269. Carrying concealed weapons.

(a) ~~It shall be~~ Except as otherwise provided by law, it is unlawful for any person willfully and intentionally to carry concealed about his or her person any bowie knife, dirk, dagger, slung shot, loaded cane, metallic knuckles, razor, shuriken, stun gun, or other deadly weapon of like kind, except when the person is on the person's own premises. For purposes of this section, the term "weapon" does not include a firearm.

(a1) ~~It shall be unlawful for any person willfully and intentionally to carry 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) who provides to the law enforcement officer proof of deployment as required under G.S. 14-415.11(a).~~

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



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~~handgun remains in the closed compartment at all times and the vehicle is locked immediately following the entrance or exit.~~

~~(a3) Some of the exceptions listed in subsection (b) of this section include a condition that the person have a concealed handgun permit. In those circumstances, a person must still have a concealed handgun permit issued in accordance with Article 54B of Chapter 14 of the General Statutes or considered valid under G.S. 14-415.24 to qualify as an exception.~~

~~...~~

~~(b1) It is a defense to a prosecution under this section that if all of the following apply:~~

~~(1) The weapon was not a firearm;~~

~~(2) The defendant was engaged in, or on the way to or from, an activity in which the defendant legitimately used the weapon; weapon.~~

~~(3) The defendant possessed the weapon for that legitimate use; and use.~~

~~(4) The defendant did not use or attempt to use the weapon for an illegal purpose.~~

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

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

~~(1) The deadly weapon is a handgun;~~

~~(2) The defendant is a military permittee as defined under G.S. 14-415.10(2a); and~~

~~(3) The defendant provides to the court proof of deployment as defined under G.S. 14-415.10(3a).~~

~~(c) Any Except as otherwise provided by law, any person violating the provisions of subsection (a) of this section shall be guilty of a Class 2 misdemeanor. Any person violating the provisions of subsection (a1) of this section shall be guilty of a Class 2 misdemeanor for the first offense and a Class H felony for a second or subsequent offense. A violation of subsection (a1) of this section punishable under G.S. 14-415.21(a) is not punishable under this section.~~

~~...."~~

SECTION 1.2. Chapter 14 of the General Statutes is amended by adding a new Article to read:

"Article 54C.

"Carrying Concealed Handguns.

"§ 14-415.35. Carrying concealed handguns.

(a) Carrying Concealed Handgun. – Any person who is a citizen of the United States and is at least 18 years old may carry a concealed handgun in this State upon completion of an approved firearms safety and training course, as described in subsection (e) of this section, unless provided otherwise by law.

(b) Offense. – It is unlawful for a person who meets any of the following criteria to carry a concealed handgun:

(1) Is ineligible to own, possess, or receive a firearm under the provisions of State or federal law.

(2) Is under indictment for a felony.

(3) Has been adjudicated guilty in any court of a felony, unless (i) the felony is an offense that pertains to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses related to the regulation of business practices or (ii) the person's firearms rights have been restored pursuant to G.S. 14-415.4 or have been restored in another state pursuant to the laws of that state.

(4) Is a fugitive from justice.

(5) Is an unlawful user of, or addicted to, marijuana, alcohol, or any depressant, stimulant, or narcotic drug, or any other controlled substance as defined in 21 U.S.C. § 802.

- (6) Is currently or has been previously adjudicated by a court to be lacking mental capacity or mentally ill. Receipt of previous consultative services or outpatient treatment alone shall not disqualify any citizen under this subdivision.
- (7) Is or has been discharged from the Armed Forces of the United States under conditions other than honorable.
- (8) Except as provided in subdivision (9), (10), or (11) of this subsection, is or has been adjudicated guilty of or received a prayer for judgment continued or suspended sentence for one or more crimes of violence constituting a misdemeanor, including, but not limited to, a violation of a misdemeanor under Article 8 of Chapter 14 of the General Statutes except for a violation of G.S. 14-33(a), or a violation of a misdemeanor under G.S. 14-226.1, 14-258.1, 14-269.2, 14-269.6, 14-277, 14-277.1, 14-283 except for a violation involving fireworks exempted under G.S. 14-288.2, 14-288.4(a)(1), 14-288.6, 14-288.9, former 14-288.12, former 14-288.13, former 14-288.14, 14-414, 14-415.21(b), 14-415.26(d) within three years prior to the date on which the application is submitted, 14-415.36, 14-415.37, 14-415.38, or 14-415.39.
- (9) Is or has been adjudicated guilty of or received a prayer for judgment continued or suspended sentence for one or more crimes of violence constituting a misdemeanor under G.S. 14-33(c)(1), 14-33(c)(2), 14-33(c)(3), 14-33(d), 14-134.3, 14-277.3A, 14-318.2, 50B-4.1, or former 14-277.3.
- (10) Is prohibited from possessing a firearm pursuant to 18 U.S.C. § 922(g) as a result of a conviction of a misdemeanor crime of domestic violence.
- (11) Has been adjudicated guilty of or received a prayer for judgment continued or suspended sentence for one or more crimes involving an assault or a threat to assault a law enforcement officer, probation or parole officer, person employed at a State or local detention facility, firefighter, emergency medical technician, medical responder, or emergency department personnel.
- (12) Has had entry of a prayer for judgment continued for a criminal offense that would make it unlawful under this section for the person to carry a concealed weapon.
- (13) Is free on bond or personal recognizance pending trial, appeal, or sentencing for a crime that would make it unlawful under this section for the person to carry a concealed weapon.
- (14) Has been convicted of an impaired driving offense under G.S. 20-138.1, 20-138.2, or 20-138.3 within three years prior to the date on which the person is carrying the weapon.
- (c) Valid Identification Required; Disclosure to Law Enforcement Officer When Carrying Concealed. – When carrying a concealed handgun, a person shall also carry valid identification and shall disclose to any law enforcement officer that the person is carrying a concealed handgun when approached or addressed by the officer and shall display the proper identification upon the request of a law enforcement officer.
- (d) Penalty. – Any person who violates subsection (a) of this section is guilty of a Class 3 misdemeanor. Any person who violates subsection (b) of this section is guilty of a Class 2 misdemeanor for a first offense and is guilty of a Class H felony for a second or subsequent offense. Any person who violates subsection (c) of this section commits an infraction and shall be punished in accordance with G.S. 14-3.1.
- (e) An approved firearms safety and training course is one that involves instruction in the laws of this State governing the carrying of a concealed handgun and the use of deadly force. The North Carolina Criminal Justice Education and Training Standards Commission shall prepare and publish general guidelines for courses and qualifications of instructors which would satisfy the requirements of this subsection, including online courses that document attendance

and require active participation. An approved course shall be any course which satisfies the requirements of this subsection and is certified or sponsored by any of the following:

- (1) The North Carolina Criminal Justice Education and Training Standards Commission.
- (2) The National Rifle Association.
- (3) The United States Concealed Carry Association.
- (4) A law enforcement agency, college, private or public institution or organization, or firearms training school, taught by instructors certified by the North Carolina Criminal Justice Education and Training Standards Commission, the United States Concealed Carry Association, or the National Rifle Association.

Every instructor of an approved course shall file a copy of the firearms course description, outline, and proof of certification annually, or upon modification of the course if more frequently, with the North Carolina Criminal Justice Education and Training Standards Commission.

"§ 14-415.36. Unlawful to carry a concealed weapon into certain areas.

(a) It is unlawful to carry a concealed weapon into the following areas unless provided otherwise by law:

- (1) In an area prohibited by rule adopted under G.S. 120-32.1.
- (2) In any area prohibited by 18 U.S.C. § 922 or any other federal law.
- (3) In a law enforcement or correctional facility.
- (4) On any private premises where notice that carrying a concealed handgun is prohibited by the posting of a conspicuous notice or statement by the person in legal possession or control of the premises.

(b) A violation of subdivision (1), (2), or (3) of subsection (a) of this section is a Class 2 misdemeanor. A violation of subdivision (4) of subsection (a) of this section is an infraction with a penalty of not more than five hundred dollars (\$500.00)."

SECTION 1.3. G.S. 14-269.3 reads as rewritten:

"§ 14-269.3. Carrying weapons into assemblies and establishments where alcoholic beverages are sold and consumed.

(a) It shall be unlawful for any person consuming alcohol, or at any time while the person has remaining in the person's body any alcohol or in the person's blood a controlled substance previously consumed, to carry any gun, rifle, or pistol into any assembly where a fee has been charged for admission thereto, or into any establishment in which alcoholic beverages are sold and consumed. Any person violating the provisions of this section shall be guilty of a Class 1 misdemeanor.

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

- ~~(1) A person exempted from the provisions of G.S. 14-269.~~
- ~~(2) The owner or lessee of the premises or business establishment.~~
- ~~(3) A person participating in the event, if the person is carrying a gun, rifle, or pistol with the permission of the owner, lessee, or person or organization sponsoring the event.~~
- ~~(4) A person registered or hired as a security guard by the owner, lessee, or person or organization sponsoring the event.~~
- ~~(5) A person carrying a handgun if the person has a valid concealed handgun permit issued in accordance with Article 54B of this Chapter, has a concealed handgun permit considered valid under G.S. 14-415.24, or is exempt from obtaining a permit pursuant to G.S. 14-415.25. This subdivision shall not be construed to permit a person to carry a handgun on any premises where the person in legal possession or control of the premises has posted a conspicuous notice prohibiting the carrying of a concealed handgun on the premises in accordance with G.S. 14-415.11(c)."~~

1 **SECTION 1.4.** G.S. 14-269.4 reads as rewritten:

2 **"§ 14-269.4. Weapons on certain State property and in courthouses.**

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

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

11 ...

12 (6) ~~A person with a permit issued in accordance with Article 54B of this Chapter,~~
13 ~~with a permit considered valid under G.S. 14-415.24, or who is exempt from~~
14 ~~obtaining a permit pursuant to G.S. 14-415.25, A person carrying a concealed~~
15 ~~handgun~~ who has a firearm in a closed compartment or container within the
16 person's locked vehicle or in a locked container securely affixed to the person's
17 vehicle. A person may unlock the vehicle to enter or exit the vehicle provided
18 the firearm remains in the closed compartment at all times and the vehicle is
19 locked immediately following the entrance or exit.

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

23 Any person violating the provisions of this section shall be guilty of a Class 1 misdemeanor."

24 **SECTION 1.5.** G.S. 14-277.2 reads as rewritten:

25 **"§ 14-277.2. Weapons at parades, etc., prohibited.**

26 ...

27 (d) The provisions of this section shall not apply to concealed carry of a handgun at a
28 parade or funeral procession ~~by a person with a valid permit issued in accordance with Article~~
29 ~~54B of this Chapter, with a permit considered valid under G.S. 14-415.24, or who is exempt from~~
30 ~~obtaining a permit pursuant to G.S. 14-415.25.~~ procession. This subsection shall not be construed
31 to permit a person to carry a concealed handgun on any premises where the person in legal
32 possession or control of the premises has posted a conspicuous notice prohibiting the carrying of
33 a concealed handgun on the premises in accordance with G.S. 14-415.11(c)."

34 **SECTION 1.6.** G.S. 14-269.1 reads as rewritten:

35 **"§ 14-269.1. Confiscation and disposition of deadly weapons.**

36 Upon conviction of any person for violation of G.S. 14-269, ~~G.S. 14-269.7, 14-269.7,~~
37 ~~14-415.35(b), or any other offense involving the use of a deadly weapon of a type referred to in~~
38 ~~G.S. 14-269, weapon, including a firearm,~~ the deadly weapon with reference to which the
39 defendant shall have been convicted shall be ordered confiscated and disposed of by the presiding
40 judge at the trial in one of the following ways in the discretion of the presiding judge.

41 "

42 **SECTION 1.7.** G.S. 14-269.2 reads as rewritten:

43 **"§ 14-269.2. Weapons on campus or other educational property.**

44 ...

45 (i) The provisions of this section shall not apply to an employee of an institution of higher
46 education as defined in G.S. 116-143.1 or a nonpublic post-secondary educational institution who
47 resides on the campus of the institution at which the person is employed when all of the following
48 criteria are met:

49 (1) The employee's residence is a detached, single-family dwelling in which only
50 the employee and the employee's immediate family reside.

51 (2) The institution is either:

- 1 a. An institution of higher education as defined by G.S. 116-143.1.
2 b. A nonpublic post-secondary educational institution that has not
3 specifically prohibited the possession of a handgun pursuant to this
4 subsection.
- 5 (3) The weapon is a handgun.
- 6 (4) ~~The handgun is possessed in one of the following manners as appropriate:~~
- 7 a. ~~If the employee has a concealed handgun permit that is valid under~~
8 ~~Article 54B of this Chapter, or who is exempt from obtaining a permit~~
9 ~~pursuant to that Article, the handgun may be~~ The handgun is on the
10 premises of the employee's residence or in a closed compartment or
11 container within the employee's locked vehicle that is located in a
12 parking area of the educational property of the institution at which the
13 person is employed and resides. Except for direct transfer between the
14 residence and the vehicle, the handgun must remain at all times either
15 on the premises of the employee's residence or in the closed
16 compartment of the employee's locked vehicle. The employee may
17 unlock the vehicle to enter or exit, but must lock the vehicle
18 immediately following the entrance or exit if the handgun is in the
19 vehicle.
- 20 b. ~~If the employee is not authorized to carry a concealed handgun~~
21 ~~pursuant to Article 54B of this Chapter, the handgun may be on the~~
22 ~~premises of the employee's residence, and may only be in the~~
23 ~~employee's vehicle when the vehicle is occupied by the employee and~~
24 ~~the employee is immediately leaving the campus or is driving directly~~
25 ~~to their residence from off campus. The employee may possess the~~
26 ~~handgun on the employee's person outside the premises of the~~
27 ~~employee's residence when making a direct transfer of the handgun~~
28 ~~from the residence to the employee's vehicle when the employee is~~
29 ~~immediately leaving the campus or from the employee's vehicle to the~~
30 ~~residence when the employee is arriving at the residence from off~~
31 ~~campus.~~
- 32 (j) The provisions of this section shall not apply to an employee of a public or nonpublic
33 school who resides on the campus of the school at which the person is employed when all of the
34 following criteria are met:
- 35 (1) The employee's residence is a detached, single-family dwelling in which only
36 the employee and the employee's immediate family reside.
- 37 (2) The school is either:
- 38 a. A public school which provides residential housing for enrolled
39 students.
- 40 b. A nonpublic school which provides residential housing for enrolled
41 students and has not specifically prohibited the possession of a
42 handgun pursuant to this subsection.
- 43 (3) The weapon is a handgun.
- 44 (4) ~~The handgun is possessed in one of the following manners as appropriate:~~
- 45 a. ~~If the employee has a concealed handgun permit that is valid under~~
46 ~~Article 54B of this Chapter, or who is exempt from obtaining a permit~~
47 ~~pursuant to that Article, the handgun may be~~ The handgun is on the
48 premises of the employee's residence or in a closed compartment or
49 container within the employee's locked vehicle that is located in a
50 parking area of the educational property of the school at which the
51 person is employed and resides. Except for direct transfer between the

1 residence and the vehicle, the handgun must remain at all times either
2 on the premises of the employee's residence or in the closed
3 compartment of the employee's locked vehicle. The employee may
4 unlock the vehicle to enter or exit, but must lock the vehicle
5 immediately following the entrance or exit if the handgun is in the
6 vehicle.

7 ~~b. If the employee is not authorized to carry a concealed handgun~~
8 ~~pursuant to Article 54B of this Chapter, the handgun may be on the~~
9 ~~premises of the employee's residence, and may only be in the~~
10 ~~employee's vehicle when the vehicle is occupied by the employee and~~
11 ~~the employee is immediately leaving the campus or is driving directly~~
12 ~~to their residence from off campus. The employee may possess the~~
13 ~~handgun on the employee's person outside the premises of the~~
14 ~~employee's residence when making a direct transfer of the handgun~~
15 ~~from the residence to the employee's vehicle when the employee is~~
16 ~~immediately leaving the campus or from the employee's vehicle to the~~
17 ~~residence when the employee is arriving at the residence from off~~
18 ~~campus.~~

19 (k) The provisions of this section shall not apply to a person who has a concealed handgun
20 permit that is valid under Article 54B of this Chapter, or who is exempt from obtaining a permit
21 pursuant to that Article, if when any of the following conditions are met:

- 22 (1) The person has a handgun in a closed compartment or container within the
23 person's locked vehicle or in a locked container securely affixed to the person's
24 vehicle and only unlocks the vehicle to enter or exit the vehicle while the
25 firearm remains in the closed compartment at all times and immediately locks
26 the vehicle following the entrance or exit.
- 27 (2) The person has a handgun concealed on the person and the person remains in
28 the locked vehicle and only unlocks the vehicle to allow the entrance or exit
29 of another person.
- 30 (3) The person is within a locked vehicle and removes the handgun from
31 concealment only for the amount of time reasonably necessary to do either of
32 the following:
- 33 a. Move the handgun from concealment on the person to a closed
34 compartment or container within the vehicle.
- 35 b. Move the handgun from within a closed compartment or container
36 within the vehicle to concealment on the person.

37"

38 **SECTION 1.8.** G.S. 14-401.24 reads as rewritten:

39 **"§ 14-401.24. Unlawful possession and use of unmanned aircraft systems.**

40 ...

41 (c) The following definitions apply to this section:

42 ...

- 43 (5) Weapon. – Those weapons specified in G.S. 14-269, 14-269.2, 14-284.1, or
44 14-288.8 and any other ~~object-object~~, including a firearm, capable of inflicting
45 serious bodily injury or death when used as a weapon.

46"

47 **SECTION 1.9.** G.S. 14-409.40 reads as rewritten:

48 **"§ 14-409.40. Statewide uniformity of local regulation.**

49 ...

50 (f) Nothing contained in this section prohibits municipalities or counties from application
51 of their authority under G.S. 153A-129, 160A-189, 14-269, 14-269.2, 14-269.3, 14-269.4,

14-277.2, 14-415.11, 14-415.23, 14-415.35, including prohibiting the possession of firearms in public-owned buildings, on the grounds or parking areas of those buildings, or in public parks or recreation areas, except nothing in this subsection shall prohibit a person from storing a firearm within a motor vehicle while the vehicle is on these grounds or areas. Nothing contained in this section prohibits municipalities or counties from exercising powers provided by law in states of emergency declared under Article 1A of Chapter 166A of the General Statutes.

...."

SECTION 1.10. G.S. 14-415.4(e)(2) reads as rewritten:

"(2) The petitioner is under indictment for a ~~felony or a finding of probable cause exists against the petitioner for a felony.~~"

SECTION 1.11. Article 54B of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-415.10A. Purpose.

While G.S. 14-415.35 makes it lawful to carry a concealed weapon in this State without obtaining a concealed handgun permit, it is often convenient to have a concealed handgun permit for the purpose of reciprocity when traveling in another state, to make the purchase of a firearm more efficient, or for various other reasons. Therefore, the State of North Carolina shall continue to make a concealed handgun permit available to any person who applies for and is eligible to receive a concealed handgun permit pursuant to this Article."

SECTION 1.12. G.S. 14-415.11(a) reads as rewritten:

"(a) Any person who has a concealed handgun permit 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 addition to these requirements, a military permittee whose permit has expired during deployment may carry a concealed handgun during the 90 days following the end of deployment and before the permit is renewed provided the permittee also displays proof of deployment to any law enforcement officer.~~"

SECTION 1.13. G.S. 14-415.22 is repealed.

SECTION 1.14. G.S. 74E-6 reads as rewritten:

"§ 74E-6. Oaths, powers, and authority of company police officers.

...

(c) All Company Police. – Company police officers, while in the performance of their duties of employment, have the same powers as municipal and county police officers to make arrests for both felonies and misdemeanors and to charge for infractions on any of the following:

- (1) Real property owned by or in the possession and control of their employer.
- (2) Real property owned by or in the possession and control of a person who has contracted with the employer to provide on-site company police security personnel services for the property.
- (3) Any other real property while in continuous and immediate pursuit of a person for an offense committed upon property described in subdivisions (1) or (2) of this subsection.

Company police officers shall have, if duly authorized by the superior officer in charge, the authority to carry concealed weapons pursuant to and in conformity with ~~G.S. 14-269(b)(4) and (5).~~ G.S. 14-269(b)(4) and (5) and G.S. 14-415.35.

...."

SECTION 1.15. G.S. 74G-6 reads as rewritten:

"§ 74G-6. Oaths, powers, and authority of campus police officers.

...

(d) Concealed Weapons. – Campus police officers shall have, if duly authorized by their campus police agency and by the sheriff of the county in which the campus police agency is located, the authority to carry concealed weapons pursuant to and in conformity with ~~G.S. 14-269(b)(5)~~, G.S. 14-269(b)(5) and G.S. 14-415.35.

...."

SECTION 1.16. G.S. 113-136 reads as rewritten:

"§ 113-136. Enforcement authority of inspectors and protectors; refusal to obey or allow inspection by inspectors and protectors.

...

(d) Inspectors and protectors are additionally authorized to arrest without warrant under the terms of G.S. 15A-401(b) for felonies, for breaches of the peace, for assaults upon them or in their presence, and for other offenses evincing a flouting of their authority as enforcement officers or constituting a threat to public peace and order which would tend to subvert the authority of the State if ignored. In particular, they are authorized, subject to the direction of the administrative superiors, to arrest for violations of G.S. 14-223, 14-225, 14-269, ~~and 14-277~~, 14-277, and 14-415.35.

...."

SECTION 1.17. This Part becomes effective December 1, 2023, and applies to offenses committed on or after that date.

PART II. AUTHORIZE ELECTED STATE OFFICIALS TO CARRY A CONCEALED FIREARM WHILE PERFORMING OFFICIAL DUTIES

SECTION 2.1. G.S. 14-269(b) is amended by adding a new subdivision to read:

"(10) Any person who is an elected official or person appointed to fill an elective office in this State, when acting in discharge of their official duties, and who has a concealed handgun permit issued in accordance with Article 54B of this Chapter or considered valid under G.S. 14-415.24; provided that the person shall not carry a concealed weapon at any time while consuming alcohol or an unlawful controlled substance or while alcohol or an unlawful controlled substance remains in the person's body. This subdivision does not exempt the person from the provisions of G.S. 14-269.2."

SECTION 2.2. G.S. 14-269.2(g)(1a) reads as rewritten:

"(1a) A person exempted by the provisions of subdivisions (1) through (9) of G.S. 14-269(b)."

SECTION 2.3. G.S. 14-415.11(c) reads as rewritten:

"(c) Except as provided in G.S. 14-415.27, a permit does not authorize a person to carry a concealed handgun in any of the following:

(1) Areas prohibited by ~~G.S. 14-269.2, 14-269.3, and 14-277.2~~. G.S. 14-269.2.

(1a) Areas prohibited by G.S. 14-269.3 and G.S. 14-277.2.

...."

SECTION 2.4. G.S. 14-415.27 reads as rewritten:

"§ 14-415.27. Expanded permit scope for certain persons.

(a) Notwithstanding G.S. 14-415.11(c), any of the following persons who has a concealed handgun permit issued pursuant to this Article or that is considered valid under G.S. 14-415.24 is not subject to the area prohibitions set out in G.S. 14-415.11(c) and may carry a concealed handgun in the areas listed in G.S. 14-415.11(c) unless otherwise prohibited by federal law:

(1) A district attorney.

(2) An assistant district attorney.

(3) An investigator employed by the office of a district attorney.

(4) A North Carolina district or superior court judge.

(5) A magistrate.

(6) A person who is elected and serving as a clerk of court.

(7) A person who is elected and serving as a register of deeds.

(8) A person employed by the Department of Public Safety who has been designated in writing by the Secretary of the Department and who has in the person's possession written proof of the designation.

(9) A North Carolina administrative law judge.

(b) Notwithstanding G.S. 14-415.11(c), any elected official or person appointed to fill an elective office in this State, when acting in discharge of their official duties, and who has a concealed handgun permit issued pursuant to this Article or that is considered valid under G.S. 14-415.21 is not subject to the area prohibitions set out in subdivisions (1a) through (8) of G.S. 14-415.11(c) and may carry a concealed handgun in the areas listed in subdivisions (1a) through (8) of G.S. 14-415.11(c) unless otherwise prohibited by federal law."

SECTION 2.5. This Part is effective when it becomes law and applies to offenses committed on or after that date.

PART III. SAVINGS CLAUSE AND EFFECTIVE DATE

SECTION 3.1. 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 3.2. Except as otherwise provided in this act, this act is effective when it becomes law.