

April 3, 2003

**S 919. HOMICIDE PREVENTION ACT/DOMESTIC VIOLENCE. TO ENHANCE THE SAFETY OF VICTIMS IN SERIOUS DOMESTIC VIOLENCE CASES.** Enacts new GS 50B-3.1 requiring defendant to surrender firearms upon entry of emergency or ex parte domestic violence order if court finds that defendant used or threatened to use a deadly weapon or makes other specified findings. Court may, but is not required to, order defendant in domestic violence case to surrender firearms without making specified findings. Includes provisions governing procedures to be followed in these cases. Makes possession of firearm in violation of domestic violence order a Class H felony. Section does not prohibit law enforcement and military employees from possessing or using firearms for official use only.

**Intro. by Rand.**

Ref. to	GS 14, 50B
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April 28, 2003

**S 919. HOMICIDE PREVENTION ACT/DOMESTIC VIOLENCE.** Intro. 4/3/03. Senate committee substitute makes the following changes to 1st edition. Reorganizes GS 50B-3.1 into subsections. Amends GS 50B-3.1(h) to provide that after deducting costs of sale, proceeds of firearms sale shall be remitted to defendant. Amends GS 50B-3.1(i) by deleting penalty for violation (was, Class H felony). Makes technical changes.

June 11, 2003

**S 919. HOMICIDE PREVENTION ACT/DOMESTIC VIOLENCE.** Intro. 4/3/03. House committee substitute makes the following changes to 2nd edition. Permits court to order defendant to surrender firearms if court finds defendant has pattern of prior conduct involving use or threatened use of violence with firearms against persons; this is in addition to factors already in bill that could lead to such an order. Deletes subsection that allowed court to order defendant to surrender firearms in absence of any of the listed factors. Directs that the terms of the court's order of surrender must include instructions on how to retrieve firearms when protective order is no longer in effect; provides that defendant may retrieve weapons at that time, unless precluded from owning or possessing weapons by other state or federal law. Adds provision under which third-party owner of firearms surrendered to sheriff may retrieve them. Provides that if sheriff sells firearms, net proceeds go to defendant only if defendant so requests by motion and court orders. Adds provision stating that nothing in proposed section limits discretion of court under other sections of GS Chapter 14. Changes effective date from when bill becomes law to Dec. 1, 2003.

August 20, 2003

**SL 2003-410 (S 919). HOMICIDE PREVENTION ACT/DOMESTIC VIOLENCE. AN ACT TO ENHANCE THE SAFETY OF VICTIMS IN SERIOUS DOMESTIC VIOLENCE CASES.** Summarized in *Daily Bulletin* 4/3/03, 4/28/03, and 6/11/03. Enacted August 13, 2003. Effective December 1, 2003.