

April 9, 2009

H 1450. REPORT DENIAL OF SOME PISTOL PERMITS. Filed 4/9/09. *TO PROVIDE THAT DENIAL OF A LICENSE OR PERMIT TO PURCHASE A PISTOL SHALL BE REPORTED TO THE STATE BUREAU OF INVESTIGATION BY ENTRY INTO AN APPROPRIATE COMPUTERIZED DATABASE THAT IS ACCESSIBLE TO SHERIFFS STATEWIDE.*

Current law under GS 14-404(b) authorizes a sheriff to deny an applicant a license or permit to purchase a handgun for good cause shown. Enacts new GS 14-404.1 to require a sheriff who declines to issue a license or permit to purchase a handgun, to notify the State Bureau of Investigation (SBI) and to provide information as to the (1) date of denial, (2) the reasons for the denial, (3) the county in which the license or permit was denied, and (4) the identity of the applicant. Also requires the sheriff to provide a statement that the denial was in accordance with GS 14-404(b). Directs that the required information is to be submitted by the sheriff via entry into a state-computerized database designated by the SBI and entered in such a manner that a notation of the denial will appear in any subsequent record check conducted in accordance with Article 52A of GS Chapter 14. Provides that any information entered into the database is to be removed eight years from the date it was entered. Also provides guidelines regarding the responsibility of the sheriff making the denial to provide notice to the SBI of the subsequent issuance of a license and permit to the same applicant and to request that the SBI remove the notation. Requires the SBI to remove the notation within five business days of receiving the request from the sheriff. Also provides that a person who successfully appeals the denial to district court as provided in GS 14-404(b) may provide the sheriff with an official copy of the court's decision and a written request that the sheriff remove the record of the denial from the appropriate state-computerized database. Directs the sheriff to notify the SBI of the applicant's request within five business days of receiving the request. Restricts access to any information entered into the database. Effective September 1, 2009.

Requires the SBI to have identified an appropriate state-computerized database by September 1, 2009 that is easily accessible and available to sheriffs statewide.

Directs the SBI to begin to implement the provisions of this act with funds appropriated to the Department of Justice in the 2009-10 fiscal year.

Except as otherwise indicated, effective when it becomes law.

Intro. by Harrison, Jeffus.

GS 14