

February 19, 2009

H 257. NO SEIZURE OF LAWFUL FIREARMS IN EMERGENCY. Filed 2/19/09. *TO CLARIFY THAT LAWFULLY POSSESSED FIREARMS, AMMUNITION, AND AMMUNITION COMPONENTS MAY NOT BE SEIZED DURING A DECLARED STATE OF EMERGENCY.*

Amends GS 166A-3 to provide that nothing in Article 1 (North Carolina Emergency Management Act of 1977) of GS Chapter 166 is to be construed to authorize the taking, confiscation, or seizure of lawfully possessed firearms, ammunition, or ammunition components. Makes conforming changes. Enacts new GS 14-288.1A to provide that nothing in Article 36A (Riots and Civil Disorders) of GS Chapter 14 is to be construed to authorize, or to allow ordinances to authorize, the taking, confiscation, or seizure of lawfully possessed firearms, ammunition, or ammunition components. Makes a conforming change to GS 14-288.12(b). Amends GS 14-288.7 to provide that it is unlawful for any person to transport or possess off of his own premises any dangerous weapon or substance in any area in which a declared state of emergency exists *unless* the dangerous weapon transported or possessed is a lawfully possessed firearm, ammunition, or ammunition component.

Intro. by Cleveland, Hilton, Moore.

GS 14, 166A