

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 859
Committee Substitute Favorable 5/7/09
PROPOSED SENATE COMMITTEE SUBSTITUTE H859-PCS30544-LH-32

Short Title: Amend Concealed Weapon & Handgun Permit Laws.

(Public)

Sponsors:

Referred to:

March 30, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO EXEMPT CERTAIN RETIRED PROBATION AND PAROLE CERTIFIED
3 OFFICERS FROM THE FIREARM SAFETY AND TRAINING COURSE
4 REQUIREMENT FOR PURPOSES OF THE CONCEALED HANDGUN PERMIT AND
5 TO PROVIDE THAT THE PROHIBITION AGAINST CARRYING A CONCEALED
6 WEAPON DOES NOT APPLY TO STATE PROBATION AND PAROLE CERTIFIED
7 OFFICERS WHEN THEY ARE OFF-DUTY.

8 The General Assembly of North Carolina enacts:

9 SECTION 1. G.S. 14-415.10 is amended by adding a new subdivision to read:

10 "(4b) Qualified retired probation or parole certified officer. – An individual who
11 retired from service as a State probation or parole certified officer, other than
12 for reasons of mental disability, who has been retired as a probation or
13 parole certified officer two years or less from the date of the permit
14 application and who meets all of the following criteria:

- 15 a. Immediately before retirement, the individual met firearms training
16 standards of the Department of Correction and was authorized by the
17 Department of Correction to carry a handgun in the course of duty.
18 b. The individual retired in good standing and was never a subject of a
19 disciplinary action by the Department of Correction that would have
20 prevented the individual from carrying a handgun.
21 c. The individual has a vested right to benefits under the Teachers' and
22 State Employees' Retirement System of North Carolina established
23 under Article 1 of Chapter 135 of the General Statutes.
24 d. The individual is not prohibited by State or federal law from
25 receiving a firearm."

26 SECTION 2. G.S. 14-415.12A(a) reads as rewritten:

27 "(a) A person who is a qualified sworn law enforcement ~~officer~~ ~~or officer~~, a qualified
28 former sworn law enforcement ~~officer~~ ~~officer~~, or a qualified retired probation or parole certified
29 officer is deemed to have satisfied the requirement under G.S. 14-415.12(a)(4) that an applicant
30 successfully complete an approved firearms safety and training course."

31 SECTION 3. G.S. 14-269(b) is amended by adding a new subdivision to read:

32 "(6) State probation or parole certified officers, when off-duty, provided that an
33 officer does not carry a concealed weapon while consuming alcohol or an



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1 unlawful controlled substance or while alcohol or an unlawful controlled
2 substance remains in the officer's body."
3 **SECTION 4.** This act becomes effective December 1, 2010. Sections 1 and 2 of
4 this act apply to probation and parole officers who retired before, on, or after December 1,
5 2010.