

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1132
PROPOSED SENATE COMMITTEE SUBSTITUTE H1132-PCS10995-RV-44

Short Title: Renew Concealed Carry Permit/30 Day Limit.

(Public)

Sponsors:

Referred to:

April 7, 2009

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THAT A PERSON MUST APPLY TO RENEW A CONCEALED HANDGUN PERMIT WITHIN THE THIRTY-DAY PERIOD PRIOR TO THE EXPIRATION DATE OF THE PERMIT, TO PROVIDE THAT IF A RENEWAL APPLICANT REMAINS ELIGIBLE FOR A CONCEALED HANDGUN PERMIT, THE SHERIFF MUST RENEW THE PERMIT WITHIN THIRTY DAYS OF RECEIPT OF THE COMPLETED RENEWAL APPLICATION, TO PROVIDE THAT THE PERMIT OF A PERSON WHO COMPLIES WITH THE RENEWAL REQUIREMENTS REMAINS VALID BEYOND THE EXPIRATION DATE OF THE PERMIT UNTIL THE PERSON IS EITHER GRANTED OR DENIED A RENEWAL PERMIT BY THE SHERIFF, AND TO PROVIDE THAT A FORMER SWORN LAW ENFORCEMENT OFFICER WHO HAS FIFTEEN OR MORE AGGREGATE YEARS OF PART-TIME OR AUXILIARY LAW ENFORCEMENT SERVICE MAY BE EXEMPT FROM THE FIREARMS SAFETY AND TRAINING COURSE REQUIREMENT FOR A CONCEALED HANDGUN PERMIT IF HE OR SHE WAS A QUALIFIED SWORN LAW ENFORCEMENT OFFICER IMMEDIATELY BEFORE RETIRING AND HAS BEEN RETIRED AS A SWORN LAW ENFORCEMENT OFFICER TWO YEARS OR LESS FROM THE DATE OF THE PERMIT APPLICATION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-415.16 reads as rewritten:

"§ 14-415.16. Renewal of permit.

(a) The holder of a permit shall apply to renew the permit ~~at least 30 days within the 30-day period~~ prior to its expiration date by filing with the sheriff of the county in which the person resides a renewal form provided by the sheriff's office, a notarized affidavit stating that the permittee remains qualified under the criteria provided in this Article, a newly administered full set of the permittee's fingerprints, and a renewal fee.

(b) Upon receipt of the completed renewal application, including the permittee's fingerprints, and the appropriate payment of fees, the sheriff shall determine if the permittee remains qualified to hold a permit in accordance with the provisions of G.S. 14-415.12. The permittee's criminal history shall be updated, and the sheriff may waive the requirement of taking another firearms safety and training course. If the permittee applies for a renewal of the permit within 30 days of its expiration date and if the permittee remains qualified to have a permit under G.S. 14-415.12, the sheriff shall renew the ~~permit~~ permit within 30 days after receipt of the completed renewal application. If the 30th day is a Saturday, Sunday, or State or



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1 federal holiday, then the period extends to the next business day. The permit of a permittee who
2 complies with this section shall remain valid beyond the expiration date of the permit until the
3 permittee either receives a renewal permit or is denied a renewal permit by the sheriff.

4 (c) No fingerprints shall be required for a renewal permit if the applicant's fingerprints
5 were submitted to the State Bureau of Investigation after June 30, 2001, on the Automated
6 Fingerprint Information System (AFIS) as prescribed by the State Bureau of Investigation."

7 **SECTION 2.** G.S. 14-415.10(4) reads as rewritten:

8 "(4) Qualified former sworn law enforcement officer. – An individual who
9 retired from service as a law enforcement officer with a local, State, campus
10 police, or company police agency in North Carolina, other than for reasons
11 of mental disability, who has been retired as a sworn law enforcement
12 officer two years or less from the date of the permit application, and who
13 satisfies all of the following:

- 14 a. Immediately before retirement, the individual was a qualified law
15 enforcement officer with a local, State, or company police agency in
16 North Carolina.
17 b. The individual has a nonforfeitable right to benefits under the
18 retirement plan of the local, State, or company police agency as a law
19 enforcement ~~officer-officer~~; or has 20 or more aggregate years of law
20 enforcement service and has retired from a company police agency
21 that does not have a retirement ~~plan-plan~~; or has 20 or more
22 aggregate years of part-time or auxiliary law enforcement service.
23 c. The individual is not prohibited by State or federal law from
24 receiving a firearm."

25 **SECTION 3.** This act is effective when it becomes law and applies to permit
26 applications and renewal applications submitted on or after that date.