

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 371

AMENDMENT NO. A4
(to be filled in by
Principal Clerk)

H371-ASA-129 [v.2]

Page 1 of 2

Amends Title [YES]
Second Edition

Date _____, 2015

Senator Soucek

1 moves to amend the bill on page 1, line 3, by rewriting that line to read:

2
3 "THE RESULT OF TERRORIST ACTS, AMENDING LAWS RELATED TO MEMBERS
4 OF THE NORTH CAROLINA NATIONAL GUARD CARRYING CONCEALED
5 WEAPONS, AND TO PERMIT THE RULES REVIEW COMMISSION TO RETAIN
6 PRIVATE COUNSEL UNDER CERTAIN CIRCUMSTANCES.";

7
8 and on page 1, lines 34-35, by inserting the following between those lines:

9
10 "SECTION 2.5. G.S. 14-269(b) reads as rewritten:

11 "(b) This prohibition shall not apply to the following persons:

12 ...

13 (3a) A member of the North Carolina National Guard who has been designated in
14 writing by the Adjutant General, State of North Carolina, who has a
15 concealed handgun permit issued in accordance with Article 54B of this
16 Chapter or considered valid under G.S. 14-415.24, and is acting in the
17 discharge of his or her official duties, provided that the member does not
18 carry a concealed weapon while consuming alcohol or an unlawful
19 controlled substance or while alcohol or an unlawful controlled substance
20 remains in the member's body.

21"

22 SECTION 2.7. G.S. 143B-30.1 is amended by adding a new subsection to read:

23 "(g) In the discretion of the Commission, G.S. 114-2.3 and G.S. 147-17 (a) through (c)
24 shall not apply to the Commission if the Commission is being sued by another agency,
25 institution, department, bureau, board, or commission of the State, whether such body is created
26 by the Constitution or by statute. The chairman, upon approval of a majority of the
27 Commission, may retain private counsel to represent the Commission to be paid with available
28 State funds to defend such litigation either independently or in cooperation with the
29 Department of Justice. If private counsel is to be so retained to represent the Commission, the
30 chairman shall designate lead counsel who shall possess final decision-making authority with
31 respect to the representation, counsel, or service for the Commission. Other counsel for the



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1 Commission shall, consistent with the Rules of Professional Conduct, cooperate with such
2 designated lead counsel."";

3

4 and on page 1, lines 35-36, by rewriting those lines to read:

5 "SECTION 3. Sections 1 and 2 of this act become effective October 1, 2015, and
6 apply to acts committed on or after that date. The remainder of this act is effective when it
7 becomes law.".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
Senate Principal Clerk's Office**