

GENERAL ASSEMBLY OF NORTH CAROLINA
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SENATE BILL DRS35216-SA-11 (03/15)

Short Title: Courthouse Concealed Carry/Elected Officials. (Public)

Sponsors: Senator J. Davis (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW CERTAIN ELECTED OFFICIALS TO CARRY A CONCEALED
3 WEAPON IN GOVERNMENT BUILDINGS CONTAINING COURTHOUSES.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 14-269.4 reads as rewritten:

6 "§ 14-269.4. Weapons on certain State property and in courthouses.

7 It shall be unlawful for any person to possess, or carry, whether openly or concealed, any
8 deadly weapon, not used solely for instructional or officially sanctioned ceremonial purposes in
9 the State Capitol Building, the Executive Mansion, the Western Residence of the Governor, or
10 on the grounds of any of these buildings, and in any building housing any court of the General
11 Court of Justice. If a court is housed in a building containing nonpublic uses in addition to the
12 court, then this prohibition shall apply only to that portion of the building used for court
13 purposes while the building is being used for court purposes.

14 This section shall not apply to any of the following:

15 (1) Repealed by S.L. 1997-238, s. 3, effective June 27, 1997.

16 (1a) A person exempted by the provisions of G.S. 14-269(b).

17 (2) through (4) Repealed by S.L. 1997-238, s. 3, effective June 27, 1997,

18 (4a) Any person in a building housing a court of the General Court of Justice in
19 possession of a weapon for evidentiary purposes, to deliver it to a
20 law-enforcement agency, or for purposes of registration.

21 (4b) Any district court judge or superior court judge who carries or possesses a
22 concealed handgun in a building housing a court of the General Court of
23 Justice if the judge is in the building to discharge his or her official duties
24 and the judge has a concealed handgun permit issued in accordance with
25 Article 54B of this Chapter or considered valid under G.S. 14-415.24.

26 (4c) Firearms in a courthouse, carried by detention officers employed by and
27 authorized by the sheriff to carry firearms.

28 (4d) Any magistrate who carries or possesses a concealed handgun in any portion
29 of a building housing a court of the General Court of Justice other than a
30 courtroom itself unless the magistrate is presiding in that courtroom, if the
31 magistrate (i) is in the building to discharge the magistrate's official duties,
32 (ii) has a concealed handgun permit issued in accordance with Article 54B of
33 this Chapter or considered valid under G.S. 14-415.24, (iii) has successfully
34 completed a one-time weapons retention training substantially similar to that
35 provided to certified law enforcement officers in North Carolina, and (iv)



1 secures the weapon in a locked compartment when the weapon is not on the
2 magistrate's person.

3 (4e) Any person who is a mayor, member of a board of county commissioners, or
4 member of a city council who carries or possesses a concealed handgun in
5 any portion of a building housing a court of the General Court of Justice
6 other than a courtroom itself if the person is in the building to discharge the
7 person's official duties and has a concealed handgun permit issued in
8 accordance with Article 54B of this Chapter or considered valid under
9 G.S. 14-415.24.

10 (5) State-owned rest areas, rest stops along the highways, and State-owned
11 hunting and fishing reservations.

12 (6) A person with a permit issued in accordance with Article 54B of this
13 Chapter, with a permit considered valid under G.S. 14-415.24, or who is
14 exempt from obtaining a permit pursuant to G.S. 14-415.25, who has a
15 firearm in a closed compartment or container within the person's locked
16 vehicle or in a locked container securely affixed to the person's vehicle. A
17 person may unlock the vehicle to enter or exit the vehicle provided the
18 firearm remains in the closed compartment at all times and the vehicle is
19 locked immediately following the entrance or exit.

20 (7) Any person who carries or possesses an ordinary pocket knife, as defined in
21 G.S. 14-269(d), carried in a closed position into the State Capitol Building or
22 on the grounds of the State Capitol Building.

23 Any person violating the provisions of this section shall be guilty of a Class 1
24 misdemeanor."

25 **SECTION 2.** G.S. 14-415.11 reads as rewritten:

26 "**§ 14-415.11. Permit to carry concealed handgun; scope of permit.**

27 ...

28 (c) Except as provided in subsection (c4) of this section, or G.S. 14-415.27, a permit
29 does not authorize a person to carry a concealed handgun in any of the following:

30 (1) Areas prohibited by G.S. 14-269.2, 14-269.3, and 14-277.2.

31 (2) Areas prohibited by G.S. 14-269.4, except as allowed under
32 G.S. 14-269.4(6).

33 (3) In an area prohibited by rule adopted under G.S. 120-32.1.

34 (4) In any area prohibited by 18 U.S.C. § 922 or any other federal law.

35 (5) In a law enforcement or correctional facility.

36 (6) In a building housing only State or federal offices.

37 (7) In an office of the State or federal government that is not located in a
38 building exclusively occupied by the State or federal government.

39 (8) On any private premises where notice that carrying a concealed handgun is
40 prohibited by the posting of a conspicuous notice or statement by the person
41 in legal possession or control of the premises.

42 ...

43 (c4) Notwithstanding subsection (c) of this section, a person who is a mayor, member of
44 a board of county commissioners, or member of a city council who has a concealed handgun
45 permit issued pursuant to this Article or that is considered valid under G.S. 14-415.24 may
46 carry a concealed handgun in (i) the areas prohibited by G.S. 14-269.4, to the extent allowed in
47 G.S. 14-269.4(4e), and (ii) areas prohibited by subdivision (6) or (7) of subsection (c) of this
48 section when the building is a State building with a courthouse, provided the person is in the
49 prohibited area to discharge the person's official duties, and the person does not carry the
50 concealed handgun into a courtroom.

51"

1 **SECTION 3.** This act becomes effective December 1, 2017, and applies to
2 offenses committed on or after that date. Prosecutions for offenses committed before the
3 effective date of this act are not abated or affected by this act, and the statutes that would be
4 applicable but for this act remain applicable to those prosecutions.