

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H.B. 456  
Mar 26, 2019  
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30209-ML-110

Short Title: Permit Req'd/Assault Weapon & Long Gun. (Public)

Sponsors: Representatives Clark, Morey, and Harrison (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE A PERMIT FOR THE PURCHASE OF AN ASSAULT WEAPON OR  
3 LONG GUN.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 14-402 reads as rewritten:

6 "§ 14-402. Sale of certain weapons without permit forbidden.

7 (a) It is unlawful for any person, firm, or corporation in this State to sell, give away, or  
8 transfer, or to purchase or receive, at any place within this State from any other place within or  
9 without the State any ~~pistol~~-pistol, assault weapon, or long gun unless: (i) a license or permit is  
10 first obtained under this Article by the purchaser or receiver from the sheriff of the county in  
11 which the purchaser or receiver resides; or (ii) a valid North Carolina concealed handgun permit  
12 is held under Article 54B of this Chapter by the purchaser or receiver who must be a resident of  
13 the State at the time of the purchase.

14 It is unlawful for any person or persons to receive from any postmaster, postal clerk,  
15 employee in the parcel post department, rural mail carrier, express agent or employee, railroad  
16 agent or employee within the State of North Carolina any ~~pistol~~-pistol, assault weapon, or long  
17 gun without having in his or their possession and without exhibiting at the time of the delivery  
18 of the same and to the person delivering the same the permit from the sheriff as provided in  
19 G.S. 14-403. Any person violating the provisions of this section is guilty of a Class 2  
20 misdemeanor.

21 (b) This section does not apply to an antique firearm or an historic edged weapon.

22 (c) The following definitions apply in this Article:

23 (1) Antique firearm. – Defined in G.S. 14-409.11.

24 (1a) Assault weapon. – The term includes all of the following:

25 a. Any selective-fire firearm capable of semiautomatic or burst fire at the  
26 option of the user. The term also includes all of the following  
27 semiautomatic firearms:

- 28 1. Algimec Agmi.
- 29 2. Armalite AR-180.
- 30 3. Australian Automatic Arms SAP Pistol.
- 31 4. Auto-Ordnance Thompson type.
- 32 5. Avtomat Kalashnikov AK-47 type.
- 33 6. Barrett Light-Fifty model 82A1.
- 34 7. Beretta AR-70.
- 35 8. Bushmaster Auto Rifle and Auto Pistol.
- 36 9. Calico models M-900, M-950, and 100-P.



- 1 10. Chartered Industries of Singapore SR-88.
- 2 11. Colt AR-15 and Sporter.
- 3 12. Daewoo K-1, K-2, Max-1, and Max-2.
- 4 13. Encom MK-IV, MP-9, and MP-45.
- 5 14. Fabrique Nationale FN/FAL, FN/LAR, and FN/FNC.
- 6 15. FAMAS MAS 223.
- 7 16. Feather AT-9 and Mini-AT.
- 8 17. Federal XC-900 and XC-450.
- 9 18. Franchi SPAS-12 and LAW-12.
- 10 19. Galil AR and ARM.
- 11 20. Goncz High-Tech Carbine and High-Tech Long Pistol.
- 12 21. Heckler & Koch HK-91, HK-93, HK-94, and SP-89.
- 13 22. Holmes MP-83.
- 14 23. MAC-10, MAC-11, and MAC-11 Carbine type.
- 15 24. Intratec TEC-9 and Scorpion.
- 16 25. Iver Johnson Enforcer model 3000.
- 17 26. Ruger Mini-14/5F folding stock model.
- 18 27. Scarab Skorpion.
- 19 28. SIG 57 AMT and 500 series.
- 20 29. Spectre Auto Carbine and Auto Pistol.
- 21 30. Springfield Armory BM59, SAR-48, and G-3.
- 22 31. Sterling MK-6 and MK-7.
- 23 32. Steyr AUG.
- 24 33. Street Sweeper and Striker 12 revolving cylinder shotguns.
- 25 34. USAS-12.
- 26 35. UZI Carbine, Mini-Carbine, and Pistol.
- 27 36. Weaver Arms Nighthawk.
- 28 37. Wilkinson "Linda" Pistol.
- 29 b. All of the following semiautomatic centerfire rifles, or copies or
- 30 duplicates with the capability of the rifles:
- 31 1. AK-47.
- 32 2. AK-74.
- 33 3. AKM.
- 34 4. AKS-74U.
- 35 5. ARM.
- 36 6. MAADI AK47.
- 37 7. MAK90.
- 38 8. MISR.
- 39 9. NHM90 and NHM91.
- 40 10. Norinco 56, 56S, 84S, and 86S.
- 41 11. Poly Technologies AKS and AK47.
- 42 12. SA 85.
- 43 13. SA 93.
- 44 14. VEPR.
- 45 15. WASR-10.
- 46 16. WUM.
- 47 17. Rock River Arms LAR-47.
- 48 18. Vector Arms AK-47.
- 49 19. AR-10.
- 50 20. AR-15.

- 1                    21. Bushmaster Carbon 15, Bushmaster XM15, Bushmaster ACR
- 2                    Rifles, and Bushmaster MOE Rifles.
- 3                    22. Colt Match Target Rifles.
- 4                    23. Armalite M15.
- 5                    24. Olympic Arms AR-15, A1, CAR, PCR, K3B, K30R, K16,
- 6                    K48, K8, and K9 Rifles.
- 7                    25. DPMS Tactical Rifles.
- 8                    26. Smith and Wesson M&P15 Rifles.
- 9                    27. Rock River Arms LAR-15.
- 10                  28. Doublestar AR Rifles.
- 11                  29. Barrett REC7.
- 12                  30. Beretta Storm.
- 13                  31. Calico Liberty 50, 50 Tactical, 100, 100 Tactical, I, I Tactical,
- 14                  II, and II Tactical Rifles.
- 15                  32. Hi-Point Carbine Rifles.
- 16                  33. HK-PSG-1.
- 17                  34. Kel-Tec Sub-2000, SU Rifles, and RFB.
- 18                  35. Remington Tactical Rifle Model 7615.
- 19                  36. SAR-8, SAR-4800, and SR9.
- 20                  37. SLG 95.
- 21                  38. SLR 95 and 96.
- 22                  39. TNW M230 and M2HB.
- 23                  40. Vector Arms UZI.
- 24                  41. Galil and Galil Sporter.
- 25                  42. Daewoo AR 100 and AR 110C.
- 26                  43. Fabrique Nationale/FN 308 Match and L1A1 Sporter.
- 27                  44. HK USC.
- 28                  45. IZHMASH Saiga AK.
- 29                  46. SIG Sauer 551-A1, 556, 516, 716, and M400 Rifles.
- 30                  47. Valmet M62S, M71S, and M78S.
- 31                  48. Wilkinson Arms Linda Carbine.
- 32                  49. Barrett M107A1.
- 33                  c. All of the following semiautomatic centerfire pistols, or copies or
- 34                  duplicates with the capability of the pistols:
- 35                    1. Centurion 39 AK.
- 36                    2. Draco AK-47.
- 37                    3. HCR AK-47.
- 38                    4. IO Inc. Hellpup AK-47.
- 39                    5. Mini-Draco AK-47.
- 40                    6. Yugo Krebs Krink.
- 41                    7. American Spirit AR-15.
- 42                    8. Bushmaster Carbon 15.
- 43                    9. Doublestar Corporation AR.
- 44                    10. DPMS AR-15.
- 45                    11. Olympic Arms AR-15.
- 46                    12. Rock River Arms LAR 15.
- 47                    13. Calico Liberty III and III Tactical Pistols.
- 48                    14. Masterpiece Arms MPA Pistols and Velocity Arms VMA
- 49                    Pistols.
- 50                    15. Intratec TEC-DC9 and AB-10.
- 51                    16. Colefire Magnum.

17. German Sport 522 PK and Chiappa Firearms Mfour-22.
  18. DSA SA58 PKP FAL.
  19. I.O. Inc. PPS-43C.
  20. Kel-Tec PLR 16 Pistol.
  21. Sig Sauer P516 and P556 Pistols.
  22. Thompson TA5 Pistols.
  - d. All IZHMASH Saiga 12 Shotguns, or copies or duplicates with the capability of the shotguns.
  - e. All semiautomatic firearms that meet any of the following criteria:
    1. A semiautomatic, centerfire rifle that has the ability to accept a detachable magazine and has at least one of the following:
      - I. A folding or telescoping stock.
      - II. Any grip of the weapon, including a pistol grip, a thumbhole stock, or any other stock, the use of which would allow an individual to grip the weapon, resulting in any finger on the trigger hand in addition to the trigger finger being directly below any portion of the action of the weapon when firing.
      - III. A forward pistol grip.
      - IV. A flash suppressor.
      - V. A grenade launcher or flare launcher.
    2. A semiautomatic, centerfire rifle that has a fixed magazine with the ability to accept more than 10 rounds.
    3. A semiautomatic, centerfire rifle that has an overall length of less than 30 inches.
    4. A semiautomatic pistol that has an ability to accept a detachable magazine and has at least one of the following:
      - I. An ability to accept a detachable ammunition magazine that attaches at some location outside of the pistol grip.
      - II. A threaded barrel capable of accepting a flash suppressor, forward pistol grip, or silencer.
      - III. A shroud that is attached to, or partially or completely encircles, the barrel and that permits the shooter to fire the firearm without being burned, except a slide that encloses the barrel.
      - IV. A second hand grip.
    5. A semiautomatic pistol with a fixed magazine that has the ability to accept more than 10 rounds.
    6. A semiautomatic shotgun that has both of the following:
      - I. A folding or telescoping stock.
      - II. Any grip of the weapon, including a pistol grip, a thumbhole stock, or any other stock, the use of which would allow an individual to grip the weapon, resulting in any finger on the trigger hand in addition to the trigger finger being directly below any portion of the action of the weapon when firing.
    7. A semiautomatic shotgun that has the ability to accept a detachable magazine.
    8. A shotgun with a revolving cylinder.
- (4) Historic edged weapon. – Defined in G.S. 14-409.12.

(4a) Long guns. – A shotgun or rifle that is not considered an antique firearm or assault weapon, as those terms are defined under this section."

**SECTION 2.** G.S. 14-403 reads as rewritten:

**"§ 14-403. Permit issued by sheriff; form of permit; expiration of permit.**

The sheriffs of any and all counties of this State shall issue to any person, firm, or corporation in any county a permit to purchase or receive any weapon mentioned in this Article from any person, firm, or corporation offering to sell or dispose of the weapon. The permit shall expire five years from the date of issuance. The permit shall be a standard form created by the State Bureau of Investigation in consultation with the North Carolina Sheriffs' Association, shall be of a uniform size and material, and shall be designed with security features intended to minimize the ability to counterfeit or replicate the permit and shall be set forth as follows:

North Carolina,  
\_\_\_\_\_ County.

I, \_\_\_\_\_, Sheriff of said County, do hereby certify that I have conducted a criminal background check of the applicant, \_\_\_\_\_ whose place of residence is \_\_\_\_\_ in \_\_\_\_\_ (or) in \_\_\_\_\_ Township, \_\_\_\_\_ County, North Carolina, and have received no information to indicate that it would be a violation of State or federal law for the applicant to purchase, transfer, receive, or possess a handgun. The applicant has further satisfied me as to his, her (or) their good moral character. Therefore, a permit is issued to \_\_\_\_\_ to purchase one ~~pistol~~ pistol, one assault weapon, or one long gun from any person, firm or corporation authorized to dispose of the same.

This permit expires five years from its date of issuance.

This \_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
Sheriff.

The standard permit created by this section shall be used statewide by the sheriffs of any and all counties and, when issued by a sheriff, shall also contain an embossed seal unique to the office of the issuing sheriff."

**SECTION 3.** G.S. 14-404(c)(1) reads as rewritten:

"(1) One who is under an indictment or information for or has been convicted in any state, or in any court of the United States, of a felony (other than an offense pertaining to antitrust violations, unfair trade practices, or restraints of trade). However, a person who has been convicted of a felony in a court of any state or in a court of the United States and (i) who is later pardoned, or (ii) whose firearms rights have been restored pursuant to G.S. 14-415.4, may obtain a permit, if the purchase or receipt of a ~~pistol~~ pistol, assault weapon, or long gun permitted in this Article does not violate a condition of the pardon or restoration of firearms rights."

**SECTION 4.** G.S. 14-408.1(a)(2) reads as rewritten:

"(2) Firearm. – A handgun, assault weapon, shotgun, or rifle which expels a projectile by action of an explosion."

**SECTION 5.** This act becomes effective December 1, 2019, and applies to the sale, giving away, transfer, purchase, or receiving of a pistol, assault weapon, or long gun on or after that date.