

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 36
Jan 30, 2023
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH40012-ML-35

Short Title: Firearms Training/Probation & Parole Officers. (Public)

Sponsors: Representative Lowery.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT A QUALIFIED PROBATION OR PAROLE CERTIFIED
3 OFFICER IS DEEMED TO HAVE SATISFIED THE APPROVED FIREARMS SAFETY
4 AND TRAINING COURSE REQUIREMENT FOR A CONCEALED HANDGUN
5 PERMIT.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 14-415.10 reads as rewritten:

8 "**§ 14-415.10. Definitions.**

9 The following definitions apply to this Article:

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

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

28 (4a) Qualified probation or parole certified officer. – An individual employed as a
29 State probation or parole certified officer who meets all of the following
30 criteria:

- 31 a. The individual is authorized by the Division of Community
32 Supervision and Reentry of the Department of Adult Correction to
33 carry a handgun in the course of duty.
34 b. The individual is not the subject of a disciplinary action by the
35 Division of Community Supervision and Reentry of the Department
36 of Adult Correction that prevents the carrying of a handgun.



- 1 c. The individual meets any requirements established by the Division of
- 2 Community Supervision and Reentry of the Department of Adult
- 3 Correction regarding handguns.
- 4 ~~(4a)~~(4b) Qualified retired correctional officer. – An individual who retired from
- 5 service as a State correctional officer, other than for reasons of mental
- 6 disability, who has been retired as a correctional officer two years or less from
- 7 the date of the permit application and who meets all of the following criteria:
- 8 a. Immediately before retirement, the individual met firearms training
- 9 standards of the Division of Prisons of the Department of Adult
- 10 Correction and was authorized by the Division of Prisons of the
- 11 Department of Adult Correction to carry a handgun in the course of
- 12 assigned duties.
- 13 b. The individual retired in good standing and was never a subject of a
- 14 disciplinary action by the Division of Prisons of the Department of
- 15 Adult Correction that would have prevented the individual from
- 16 carrying a handgun.
- 17 c. The individual has a vested right to benefits under the Teachers' and
- 18 State Employees' Retirement System of North Carolina established
- 19 under Article 1 of Chapter 135 of the General Statutes.
- 20 d. The individual is not prohibited by State or federal law from receiving
- 21 a firearm.
- 22 ~~(4b)~~(4c) Qualified retired law enforcement officer. – An individual who meets the
- 23 definition of "qualified retired law enforcement officer" contained in section
- 24 926C of Title 18 of the United States Code.
- 25 ~~(4e)~~(4d) Qualified retired probation or parole certified officer. – An individual who
- 26 retired from service as a State probation or parole certified officer, other than
- 27 for reasons of mental disability, who has been retired as a probation or parole
- 28 certified officer two years or less from the date of the permit application and
- 29 who meets all of the following criteria:
- 30 a. Immediately before retirement, the individual met firearms training
- 31 standards of the Division of Community Supervision and Reentry of
- 32 the Department of Adult Correction and was authorized by the
- 33 Division of Community Supervision and Reentry of the Department
- 34 of Adult Correction to carry a handgun in the course of duty.
- 35 b. The individual retired in good standing and was never a subject of a
- 36 disciplinary action by the Division of Community Supervision and
- 37 Reentry of the Department of Adult Correction that would have
- 38 prevented the individual from carrying a handgun.
- 39 c. The individual has a vested right to benefits under the Teachers' and
- 40 State Employees' Retirement System of North Carolina established
- 41 under Article 1 of Chapter 135 of the General Statutes.
- 42 d. The individual is not prohibited by State or federal law from receiving
- 43 a firearm.

...."

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

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

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