

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2023

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HOUSE BILL 36  
PROPOSED COMMITTEE SUBSTITUTE H36-PCS30045-CL-2

Short Title: Firearms Training/Probation & Parole Officers.

(Public)

Sponsors:

Referred to:

January 31, 2023

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.



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- 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.

44       ...."

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

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

51       **SECTION 3.** G.S. 17C-6(a)(16) reads as rewritten:

1           "(16) Establish standards and guidelines for the annual firearms certification of  
2           qualified retired law enforcement officers, as defined in ~~G.S. 14-415.10(4b)~~,  
3           G.S. 14-415.10(4c), to efficiently implement the provisions of  
4           G.S. 14-415.25. The standards shall provide for the courses, qualifications,  
5           and the issuance of the annual firearms qualification certification. The  
6           Commission may adopt any rules necessary to effect the provisions of this  
7           section, and may charge a reasonable fee to applicants for the costs incurred  
8           in compliance with this subdivision."  
9           **SECTION 4.** This act is effective when it becomes law and applies to permit  
10          applications submitted on or after that date.