

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

S

D

SENATE BILL 41
PROPOSED COMMITTEE SUBSTITUTE S41-PCS45053-CE-2

Short Title: Guarantee 2nd Amend Freedom and Protections.

(Public)

Sponsors:

Referred to:

January 31, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE CONCEALED CARRY PERMIT HOLDERS TO CARRY
3 FIREARMS ON CERTAIN SCHOOL PROPERTY AT CERTAIN TIMES AND TO
4 AUTHORIZE CONCEALED CARRY FOR CERTAIN LAW ENFORCEMENT
5 FACILITY EMPLOYEES, TO REPEAL PISTOL PURCHASE PERMITS, AND TO
6 LAUNCH A STATEWIDE FIREARM SAFE STORAGE AWARENESS INITIATIVE TO
7 EDUCATE THE PUBLIC ABOUT THE IMPORTANCE OF THE SAFE STORAGE OF
8 FIREARMS AND TO FACILITATE THE DISTRIBUTION OF GUN LOCKS.

9 The General Assembly of North Carolina enacts:

10
11 **PART I. PROTECT RELIGIOUS MEETING PLACES**

12 **SECTION 1.(a)** G.S. 14-269.2(a) is amended by adding a new subdivision to read:

13 "(1c) School operating hours. – Any time when any of the following occur:

- 14 a. The premises are being used for curricular or extracurricular activities.
15 b. The premises are being used for educational, instructional, or
16 school-sponsored activities.
17 c. The premises are being used for programs for minors by entities not
18 affiliated with the religious institution."

19 **SECTION 1.(b)** G.S. 14-269.2 is amended by adding a new subsection to read:

20 "(k1) For the purposes of this subsection, property owned by a local board of education or
21 county commission shall not be construed as a building that is a place of religious worship as
22 defined in G.S. 14-54.1. The provisions of this section shall not apply to a person who has a
23 concealed handgun permit that is valid under Article 54B of this Chapter, or who is exempt from
24 obtaining a permit pursuant to that Article, if all of the following conditions apply:

- 25 (1) The person possesses and carries a handgun on educational property other than
26 an institution of higher education as defined by G.S. 116-143.1 or a nonpublic,
27 postsecondary educational institution.
28 (2) The educational property is the location of both a school and a building that is
29 a place of religious worship as defined in G.S. 14-54.1.
30 (3) The weapon is a handgun.
31 (4) The handgun is only possessed and carried on educational property outside of
32 the school operating hours.
33 (5) The person or persons in legal possession or control of the premises have not
34 posted a conspicuous notice prohibiting the carrying of a concealed handgun
35 on the premises in accordance with G.S. 14-415.11(c)."

36 **SECTION 1.(c)** G.S. 14-415.11(c) reads as rewritten:



* S 4 1 - P C S 4 5 0 5 3 - C E - 2 *

1 "(c) Except as provided in G.S. 14-415.27, a permit does not authorize a person to carry
2 a concealed handgun in any of the following:

3 (1) Areas prohibited by G.S. 14-269.2, ~~14-269.3, and 14-277.2~~, except as allowed
4 under G.S. 14-269.2(k1).

5 (1a) Areas prohibited by G.S. 14-269.3 and G.S. 14-277.2.

6"

7 **SECTION 1.(d)** G.S. 14-415.27 reads as rewritten:

8 "**§ 14-415.27. Expanded permit scope for certain persons.**

9 Notwithstanding G.S. 14-415.11(c), any of the following persons who has a concealed
10 handgun permit issued pursuant to this Article or that is considered valid under G.S. 14-415.24
11 is not subject to the area prohibitions set out in G.S. 14-415.11(c) and may carry a concealed
12 handgun in the areas listed in G.S. 14-415.11(c) unless otherwise prohibited by federal law:

13 ...

14 (10) For only a law enforcement facility covered under G.S. 14-415.11(c)(5), a
15 person employed by a law enforcement agency who (i) is not a law
16 enforcement officer sworn and certified pursuant to Article 1 of Chapter 17C
17 or 17E of the General Statutes, (ii) has been designated in writing by the head
18 of the law enforcement agency in charge of the facility, (iii) has in the person's
19 possession written proof of the designation, and (iv) has not had the
20 designation rescinded by the head of the law enforcement agency in charge of
21 the facility. Nothing in this subdivision shall be construed as prohibiting the
22 head of the law enforcement agency in charge of a facility from rescinding
23 any written designation described in this subdivision."

24 **SECTION 1.(e)** Subsection (d) of this section becomes effective July 1, 2023, and
25 applies to offenses committed on or after that date. The remainder of this section becomes
26 effective December 1, 2023.

27 **PART II. REPEAL PISTOL PURCHASE PERMITS**

28 **SECTION 2.(a)** G.S. 14-402 through G.S. 14-405 and G.S. 14-407.1 are repealed.

29 **SECTION 2.(b)** G.S. 14-315(b1)(1) is repealed.

30 **SECTION 2.(c)** G.S. 122C-54(d2) is repealed.

31 **SECTION 2.(d)** Prosecutions for offenses committed before the effective date of
32 this section are not abated or affected by this section, and the statutes that would be applicable
33 but for this section remain applicable to those prosecutions.

34 **SECTION 2.(e)** This section is effective when it becomes law and applies to pistols
35 sold, given away, transferred, purchased, or received on or after that date.

36 **PART III. FIREARM SAFE STORAGE AWARENESS INITIATIVE**

37 **SECTION 3.(a)** Firearm Safe Storage Awareness Initiative. – The Department of
38 Public Safety (Department), in collaboration with the Department of Health and Human Services
39 and the Wildlife Resources Commission (Commission), shall launch a two-year statewide
40 firearm safe storage awareness initiative to educate the public about the importance of the safe
41 storage of firearms and to facilitate the distribution of gun locks. The initiative required under
42 this section shall include the development of (i) the website and toolkit required under subsection
43 (b) of this section and (ii) the outreach process required under subsection (c) of this section.

44 **SECTION 3.(b)** Development of Website and Toolkit. – The Department shall
45 develop a website to provide information to the public about (i) the importance of the safe storage
46 of a firearm, especially with respect to access by children and youth, (ii) methods for safely
47 storing a firearm, (iii) contact information for obtaining free gun locks, if available, (iv)
48 information on State laws related to the safe storage of firearms, (v) links to webpages for various
49 resources related to firearm safety such as resources addressing domestic violence, hunter
50
51

1 education, and suicide prevention, and (vi) access to a toolkit of information that local
2 communities may use to launch firearm safe storage initiatives at the local level. The toolkit shall
3 provide materials and resources that may be tailored to a community's needs and used for
4 launching local education and awareness campaigns, events, and local groups focused on firearm
5 safe storage and the distribution of free or discounted gun locks. The website and toolkit required
6 under this section shall be developed by July 1, 2024.

7 **SECTION 3.(c)** Development of State-Coordinated Outreach. – Upon development
8 of the website and toolkit required under subsection (b) of this section, the Department shall
9 develop and implement an outreach process for disseminating the information and toolkit
10 described in subsection (b) of this section to the public and to local communities, as well as the
11 provision of technical assistance to local communities to assist them in utilizing the toolkit to
12 launch local initiatives.

13 **SECTION 3.(d)** Use of Third-Party Entity. – The Department may contract with a
14 third-party entity with relevant expertise related to public health and injury prevention to launch
15 the firearm safe storage awareness initiative required under subsection (a) of this section.

16 **SECTION 3.(e)** Prohibition on Advocacy. – The firearm safe storage awareness
17 initiative required under subsection (a) of this section and any State funds used to launch and
18 maintain the initiative shall not be used to advocate, promote, or lobby for the creation of new or
19 the revision of existing laws regulating firearms. The firearm safe storage awareness initiative
20 and any State funds used to launch or maintain the initiative shall only be used for the purposes
21 set forth in subsections (b) through (d) of this section and only to explain and promote existing
22 laws regulating firearms and best practices for firearm storage and safety.

23 **SECTION 3.(f)** Report. – The Department of Public Safety, in collaboration with
24 the Department of Health and Human Services and the Wildlife Resources Commission, shall
25 submit a report to the Joint Legislative Oversight Committee on Health and Human Services
26 detailing the progress in meeting the requirements set forth in subsection (a) of this section. The
27 report required under this subsection shall be submitted by September 1, 2024.

28 **SECTION 3.(g)** This section becomes effective July 1, 2023.

29
30 **PART IV. EFFECTIVE DATE**

31 **SECTION 4.** Except as otherwise provided, this act is effective when it becomes
32 law.