

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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SENATE BILL DRS45399-MLa-159

Short Title: Misd. Domestic Violence/Prohibit Firearms. (Public)

Sponsors: Senator Chaudhuri (Primary Sponsor).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT A PERSON CONVICTED OF A MISDEMEANOR CRIME OF DOMESTIC VIOLENCE OFFENSE FROM PURCHASING OR POSSESSING A FIREARM AND TO APPROPRIATE FUNDS TO THE DEPARTMENT OF PUBLIC SAFETY TO USE TO MAKE THE PUBLIC AWARE OF THIS PROHIBITION.

The General Assembly of North Carolina enacts:

SECTION 1. Article 35 of Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-269.9. Purchase or possession of firearms by person convicted of misdemeanor crime of domestic violence.

(a) Offense. – It is unlawful for a person to possess, purchase, or receive or attempt to possess, purchase, or receive a firearm, as defined in G.S. 14-409.39, machine gun, ammunition, or permits to purchase or carry concealed firearms if the person has been adjudicated guilty of or received a prayer for judgment continued or suspended sentence for an offense (i) under G.S. 14-32.5 or (ii) in another state that, if committed in this State, is substantially similar to an offense under G.S. 14-32.5.

(b) Punishment. – A person violating the provisions of this section is guilty of a Class A1 misdemeanor."

SECTION 2. Prosecutions for offenses committed before the effective date of this act are not abated or affected by this act, and the statutes that would be applicable but for this act remain applicable to those prosecutions.

SECTION 3. There is appropriated from the General Fund to the Department of Public Safety the sum of one hundred thousand dollars (\$100,000) in nonrecurring funds for the 2024-2025 fiscal year to be used to disseminate information to the public about the prohibition set forth in Section 1 of this act on the purchase or possession of firearms by persons convicted of a misdemeanor crime of domestic violence. The funds appropriated in this section shall not revert and shall not be used until Section 1 of this act becomes effective.

SECTION 4. Section 1 of this act (i) becomes effective on the thirtieth day after the date of the issuance of a United States Supreme Court decision in United States v. Rahimi providing that domestic violence firearm restrictions are constitutional and (ii) applies to offenses committed on or after that date. Section 3 of this act becomes effective July 1, 2024. The remainder of this act is effective when it becomes law.



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