

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 5
PROPOSED COMMITTEE SUBSTITUTE H5-PCS40285-SA-9

Short Title: NC Constitutional Carry Act.

(Public)

Sponsors:

Referred to:

January 30, 2025

1 A BILL TO BE ENTITLED
2 AN ACT TO PROTECT A PERSON'S RIGHT TO CARRY A CONCEALED HANDGUN
3 WITHOUT A PERMIT AND TO CONTINUE ALLOWING PERSONS TO ACQUIRE A
4 CONCEALED HANDGUN PERMIT FOR THE PURPOSES OF RECIPROCITY OR FOR
5 ANY OTHER REASON DESIRED.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Chapter 14 of the General Statutes is amended by adding a new Article
8 to read:

9 "Article 54C.

10 "Carrying Concealed Handguns.

11 "**§ 14-415.35. Carrying concealed handguns.**

12 (a) Carrying Concealed Handgun. – Any person who is a citizen of the United States and
13 is at least 18 years old may carry a concealed handgun in this State unless provided otherwise by
14 law.

15 (b) Offense. – It is unlawful for a person who meets any of the following criteria to carry
16 a concealed handgun:

- 17 (1) Is ineligible to own, possess, or receive a firearm under the provisions of State
18 or federal law.
- 19 (2) Is under indictment for a felony.
- 20 (3) Has been adjudicated guilty in any court of a felony, unless (i) the felony is
21 an offense that pertains to antitrust violations, unfair trade practices, restraints
22 of trade, or other similar offenses related to the regulation of business practices
23 or (ii) the person's firearms rights have been restored pursuant to
24 G.S. 14-415.4 or have been restored in another state pursuant to the laws of
25 that state.
- 26 (4) Is a fugitive from justice.
- 27 (5) Is an unlawful user of, or addicted to, marijuana, alcohol, or any depressant,
28 stimulant, or narcotic drug, or any other controlled substance as defined in 21
29 U.S.C. § 802.
- 30 (6) Is currently or has been previously adjudicated by a court to be lacking mental
31 capacity or mentally ill. Receipt of previous consultative services or outpatient
32 treatment alone shall not disqualify any citizen under this subdivision.
- 33 (7) Is or has been discharged from the Armed Forces of the United States under
34 dishonorable conditions.
- 35 (8) Except as provided in subdivision (9), (10), or (11) of this subsection, is or
36 has been adjudicated guilty of or received a prayer for judgment continued or



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1 suspended sentence for one or more crimes of violence constituting a
2 misdemeanor, including, but not limited to, a violation of a misdemeanor
3 under Article 8 of this Chapter except for a violation of G.S. 14-33(a), or a
4 violation of a misdemeanor under G.S. 14-226.1, 14-258.1, 14-269.2,
5 14-269.6, 14-277, 14-277.1, 14-283 except for a violation involving fireworks
6 exempted under G.S. 14-288.2, 14-288.4(a)(1), 14-288.6, 14-288.9, former
7 14-288.12, former 14-288.13, former 14-288.14, 14-414, 14-415.21(b),
8 14-415.26(d) within three years prior to the date on which the person is
9 carrying the weapon, or 14-415.36.

10 (9) Is or has been adjudicated guilty of or received a prayer for judgment
11 continued or suspended sentence for one or more crimes of violence
12 constituting a misdemeanor under G.S. 14-33(c)(1), 14-33(c)(2), 14-33(c)(3),
13 14-33(d), 14-134.3, 14-277.3A, 14-318.2, 50B-4.1, or former 14-277.3.

14 (10) Is prohibited from possessing a firearm pursuant to 18 U.S.C. § 922(g) as a
15 result of a conviction of a misdemeanor crime of domestic violence.

16 (11) Has been adjudicated guilty of or received a prayer for judgment continued or
17 suspended sentence for one or more crimes involving an assault or a threat to
18 assault a law enforcement officer, probation or parole officer, person
19 employed at a State or local detention facility, firefighter, emergency medical
20 technician, medical responder, or emergency department personnel.

21 (12) Has had entry of a prayer for judgment continued for a criminal offense that
22 would make it unlawful under this section for the person to carry a concealed
23 weapon.

24 (13) Is free on bond or personal recognizance pending trial, appeal, or sentencing
25 for a crime that would make it unlawful under this section for the person to
26 carry a concealed weapon.

27 (c) Valid Identification Required; Disclosure to Law Enforcement Officer When
28 Carrying Concealed. – When carrying a concealed handgun, a person shall also carry valid
29 identification and shall disclose to any law enforcement officer that the person is carrying a
30 concealed handgun when approached or addressed by the officer and shall display the proper
31 identification upon the request of a law enforcement officer.

32 (d) Penalty. – Any person who violates subsection (a) of this section is guilty of a Class
33 3 misdemeanor. Any person who violates subsection (b) of this section is guilty of a Class 2
34 misdemeanor for a first offense and is guilty of a Class H felony for a second or subsequent
35 offense. Any person who violates subsection (c) of this section commits an infraction and shall
36 be punished in accordance with G.S. 14-3.1.

37 **"§ 14-415.36. Unlawful to carry a concealed weapon into certain areas.**

38 (a) It is unlawful to carry a concealed weapon into the following areas unless provided
39 otherwise by law:

40 (1) In an area prohibited by rule adopted under G.S. 120-32.1.

41 (2) In any area prohibited by 18 U.S.C. § 922 or any other federal law.

42 (3) In a law enforcement or correctional facility.

43 (4) On any private premises where notice that carrying a concealed handgun is
44 prohibited by the posting of a conspicuous notice or statement by the person
45 in legal possession or control of the premises.

46 (b) Any person who violates this section shall be guilty of an infraction and may be
47 required to pay a fine up to five hundred dollars (\$500.00)."

48 **SECTION 2.** Article 54B of Chapter 14 of the General Statutes is amended by adding
49 a new section to read:

50 **"§ 14-415.10A. Purpose.**

1 While G.S. 14-415.35 makes it lawful to carry a concealed weapon in this State without
2 obtaining a concealed handgun permit, it is often convenient to have a concealed handgun permit
3 for the purpose of reciprocity when traveling in another state, to make the purchase of a firearm
4 more efficient, or for various other reasons. Therefore, the State of North Carolina shall continue
5 to make a concealed handgun permit available to any person who applies for and is eligible to
6 receive a concealed handgun permit pursuant to this Article. For the avoidance of doubt, the
7 concealed handgun permit system maintained pursuant to this Article does not prevent a person
8 from carrying a concealed handgun pursuant to Article 54C of this Chapter."

9 **SECTION 3.** G.S. 14-415.12(b) reads as rewritten:

10 "(b) The sheriff shall deny a permit to an applicant who:

- 11 (1) Is ineligible to own, possess, or receive a firearm under the provisions of State
12 or federal law.
- 13 (2) Is under indictment or against whom a finding of probable cause exists for a
14 felony.
- 15 (3) Has been adjudicated guilty in any court of a felony, unless: (i) the felony is
16 an offense that pertains to antitrust violations, unfair trade practices, or
17 restraints of trade, or (ii) the person's firearms rights have been restored
18 pursuant to G.S. 14-415.4.
- 19 (4) Is a fugitive from justice.
- 20 (5) Is an unlawful user of, or addicted to marijuana, alcohol, or any depressant,
21 stimulant, or narcotic drug, or any other controlled substance as defined in 21
22 U.S.C. § 802.
- 23 (6) Is currently, or has been previously adjudicated by a court or administratively
24 determined by a governmental agency whose decisions are subject to judicial
25 review to be, lacking mental capacity or mentally ill. Receipt of previous
26 consultative services or outpatient treatment alone shall not disqualify an
27 applicant under this subdivision.
- 28 (7) Is or has been discharged from the Armed Forces of the United States under
29 ~~conditions other than honorable.~~ dishonorable conditions.
- 30 (8) Except as provided in subdivision (8a), (8b), or (8c) of this section, is or has
31 been adjudicated guilty of or received a prayer for judgment continued or
32 suspended sentence for one or more crimes of violence constituting a
33 misdemeanor, including but not limited to, a violation of a misdemeanor under
34 Article 8 of Chapter 14 of the General Statutes except for a violation of
35 G.S. 14-33(a), or a violation of a misdemeanor under G.S. 14-226.1, 4-258.1,
36 14-269.2, 14-269.3, 14-269.4, 14-269.6, 14-277, 14-277.1, 14-277.2, 14-283
37 except for a violation involving fireworks exempted under G.S. 14-414,
38 14-288.2, 14-288.4(a)(1), 14-288.6, 14-288.9, former 14-288.12, former
39 14-288.13, former 14-288.14, 14-415.21(b), or 14-415.26(d) within three
40 years prior to the date on which the application is submitted.
- 41 (8a) Is or has been adjudicated guilty of or received a prayer for judgment
42 continued or suspended sentence for one or more crimes of violence
43 constituting a misdemeanor under G.S. 14-32.5, 14-33(c)(1), 14-33(c)(2),
44 14-33(c)(3), 14-33(d), 14-277.3A, 14-318.2, 14-134.3, 50B-4.1, or former
45 G.S. 14-277.3.
- 46 (8b) Is prohibited from possessing a firearm pursuant to 18 U.S.C. § 922(g) as a
47 result of a conviction of a misdemeanor crime of domestic violence.
- 48 (8c) Has been adjudicated guilty of or received a prayer for judgment continued or
49 suspended sentence for one or more crimes involving an assault or a threat to
50 assault a law enforcement officer, probation or parole officer, person

employed at a State or local detention facility, firefighter, emergency medical technician, medical responder, or emergency department personnel.

(9) Has had entry of a prayer for judgment continued for a criminal offense which would disqualify the person from obtaining a concealed handgun permit.

(10) Is free on bond or personal recognizance pending trial, appeal, or sentencing for a crime which would disqualify him from obtaining a concealed handgun permit.

(11) ~~Has been convicted of an impaired driving offense under G.S. 20-138.1, 20-138.2, or 20-138.3 within three years prior to the date on which the application is submitted."~~

SECTION 4. G.S. 14-269 reads as rewritten:

"§ 14-269. Carrying concealed weapons.

(a) ~~It shall be~~ Except as otherwise provided by law, it is unlawful for any person willfully and intentionally to carry concealed about his or her person any bowie knife, dirk, dagger, slung shot, loaded cane, metallic knuckles, razor, shuriken, stun gun, or other deadly weapon of like kind, except when the person is on the person's own premises. For purposes of this subsection, the term "weapon" does not include a firearm.

(a1) ~~It shall be unlawful for any person willfully and intentionally to carry concealed about his or her person any pistol or gun except in the following circumstances:~~ firearm, except a handgun carried pursuant to Article 54B or Article 54C of this Chapter.

(1) ~~The person is on the person's own premises.~~

(2) ~~The deadly weapon is a handgun, the person has a concealed handgun permit issued in accordance with Article 54B of this Chapter or considered valid under G.S. 14-415.24, and the person is carrying the concealed handgun in accordance with the scope of the concealed handgun permit as set out in G.S. 14-415.11(e).~~

(3) ~~The deadly weapon is a handgun and the person is a military permittee as defined under G.S. 14-415.10(2a) who provides to the law enforcement officer proof of deployment as required under G.S. 14-415.11(a).~~

(a2) ~~This prohibition does not apply to a person who has a concealed handgun permit issued in accordance with Article 54B of this Chapter, has a concealed handgun permit considered valid under G.S. 14-415.24, or is exempt from obtaining a permit pursuant to G.S. 14-415.25, provided the weapon is a handgun, is in a closed compartment or container within the person's locked vehicle, and the vehicle is in a parking area that is owned or leased by State government. A person may unlock the vehicle to enter or exit the vehicle, provided the handgun remains in the closed compartment at all times and the vehicle is locked immediately following the entrance or exit.~~

(a3) Some of the exceptions listed in subsection (b) of this section include a condition that the person have a concealed handgun permit. In those circumstances, a person must still have a concealed handgun permit issued in accordance with Article 54B of this Chapter or considered valid under G.S. 14-415.24 to qualify as an exception.

...

(b1) ~~It is a defense to a prosecution under this section that:~~ if all of the following apply:

(1) ~~The weapon was not a firearm;~~

(2) ~~The defendant was engaged in, or on the way to or from, an activity in which the defendant legitimately used the weapon;~~ weapon.

(3) ~~The defendant possessed the weapon for that legitimate use;~~ and use.

(4) ~~The defendant did not use or attempt to use the weapon for an illegal purpose.~~

~~The burden of proving this defense is on the defendant.~~

(b2) ~~It is a defense to a prosecution under this section that:~~

(1) ~~The deadly weapon is a handgun;~~

- 1 (2) ~~The defendant is a military permittee as defined under G.S. 14-415.10(2a);~~
2 ~~and~~
3 (3) ~~The defendant provides to the court proof of deployment as defined under~~
4 ~~G.S. 14-415.10(3a).~~

5 (c) ~~Any~~Except as otherwise provided by law, any person violating the provisions of
6 subsection (a) of this section shall be guilty of a Class 2 misdemeanor. Any person violating the
7 provisions of subsection (a1) of this section shall be guilty of a Class 2 misdemeanor for the first
8 offense and a Class H felony for a second or subsequent offense. ~~A violation of subsection (a1)~~
9 ~~of this section punishable under G.S. 14-415.21(a) is not punishable under this section.~~

10 "

11 **SECTION 5.** G.S. 14-269.1 reads as rewritten:

12 "**§ 14-269.1. Confiscation and disposition of deadly weapons.**

13 Upon conviction of any person for violation of G.S. 14-269, ~~G.S. 14-269.7, 14-269.7,~~
14 ~~14-415.35(b),~~ or any other offense involving the use of a deadly ~~weapon of a type referred to in~~
15 ~~G.S. 14-269, weapon, including a firearm,~~ the deadly weapon with reference to which the
16 defendant shall have been convicted shall be ordered confiscated and disposed of by the presiding
17 judge at the trial in one of the following ways in the discretion of the presiding judge.

18 "

19 **SECTION 6.** G.S. 14-269.3 reads as rewritten:

20 "**§ 14-269.3. Carrying weapons into assemblies and establishments where alcoholic**
21 **beverages are sold and consumed.**

22 (a) It shall be unlawful for any person consuming alcohol, or at any time while the person
23 has remaining in the person's body any alcohol or in the person's blood a controlled substance
24 previously consumed, to carry any gun, rifle, or pistol into any assembly where a fee has been
25 charged for admission thereto, or into any establishment in which alcoholic beverages are sold
26 and consumed. Any person violating the provisions of this section shall be guilty of a Class 1
27 misdemeanor.

28 (b) ~~This section shall not apply to any of the following:~~

- 29 (1) ~~A person exempted from the provisions of G.S. 14-269.~~
30 (2) ~~The owner or lessee of the premises or business establishment.~~
31 (3) ~~A person participating in the event, if the person is carrying a gun, rifle, or~~
32 ~~pistol with the permission of the owner, lessee, or person or organization~~
33 ~~sponsoring the event.~~
34 (4) ~~A person registered or hired as a security guard by the owner, lessee, or person~~
35 ~~or organization sponsoring the event.~~
36 (5) ~~A person carrying a handgun if the person has a valid concealed handgun~~
37 ~~permit issued in accordance with Article 54B of this Chapter, has a concealed~~
38 ~~handgun permit considered valid under G.S. 14-415.24, or is exempt from~~
39 ~~obtaining a permit pursuant to G.S. 14-415.25. This subdivision shall not be~~
40 ~~construed to permit a person to carry a handgun on any premises where the~~
41 ~~person in legal possession or control of the premises has posted a conspicuous~~
42 ~~notice prohibiting the carrying of a concealed handgun on the premises in~~
43 ~~accordance with G.S. 14-415.11(e)."~~

44 **SECTION 7.** G.S. 14-269.4 reads as rewritten:

45 "**§ 14-269.4. Weapons on certain State property and in courthouses.**

46 It shall be unlawful for any person to possess, or carry, whether openly or concealed, any
47 deadly weapon, not used solely for instructional or officially sanctioned ceremonial purposes in
48 the State Capitol Building, the Executive Mansion, the Western Residence of the Governor, or
49 on the grounds of any of these buildings, and in any building housing any court of the General
50 Court of Justice. If a court is housed in a building containing nonpublic uses in addition to the

1 court, then this prohibition shall apply only to that portion of the building used for court purposes
 2 while the building is being used for court purposes.

3 This section shall not apply to any of the following:

- 4 ...
- 5 (6) ~~A person with a permit issued in accordance with Article 54B of this Chapter,~~
 6 ~~with a permit considered valid under G.S. 14-415.24, or who is exempt from~~
 7 ~~obtaining a permit pursuant to G.S. 14-415.25, who has a firearm~~ A person
 8 carrying a concealed handgun in a closed compartment or container within the
 9 person's locked vehicle or in a locked container securely affixed to the person's
 10 vehicle. A person may unlock the vehicle to enter or exit the vehicle provided
 11 the remains in the closed compartment at all times and the vehicle is locked
 12 immediately following the entrance or exit.
- 13 (7) Any person who carries or possesses an ordinary pocket knife, as defined in
 14 G.S. 14-269(d), carried in a closed position into the State Capitol Building or
 15 on the grounds of the State Capitol Building.

16 Any person violating the provisions of this section shall be guilty of a Class 1 misdemeanor."

17 **SECTION 8.** G.S. 14-277.2 reads as rewritten:

18 **"§ 14-277.2. Weapons at parades, etc., prohibited.**

19 ...

20 (d) The provisions of this section shall not apply to concealed carry of a handgun at a
 21 parade or funeral ~~procession by a person with a valid permit issued in accordance with Article~~
 22 ~~54B of this Chapter, with a permit considered valid under G.S. 14-415.24, or who is exempt from~~
 23 ~~obtaining a permit pursuant to G.S. 14-415.25.~~ procession. This subsection shall not be construed
 24 to permit a person to carry a concealed handgun on any premises where the person in legal
 25 possession or control of the premises has posted a conspicuous notice prohibiting the carrying of
 26 a concealed handgun on the premises in accordance with G.S. 14-415.11(c)."

27 **SECTION 9.** G.S. 14-401.24 reads as rewritten:

28 **"§ 14-401.24. Unlawful possession and use of unmanned aircraft systems.**

29 ...

30 (c) The following definitions apply to this section:

- 31 ...
- 32 (5) Weapon. – Those weapons specified in G.S. 14-269, 14-269.2, 14-284.1, or
 33 14-288.8 and any other ~~object~~ object, including a firearm, capable of inflicting
 34 serious bodily injury or death when used as a weapon.

35"

36 **SECTION 10.** G.S. 14-409.40 reads as rewritten:

37 **"§ 14-409.40. Statewide uniformity of local regulation.**

38 ...

39 (f) Nothing contained in this section prohibits municipalities or counties from application
 40 of their authority under G.S. 153A-129, 160A-189, 14-269, 14-269.2, 14-269.3, 14-269.4,
 41 14-277.2, 14-415.11, 14-415.23, 14-415.35, including prohibiting the possession of firearms in
 42 public-owned buildings, on the grounds or parking areas of those buildings, or in public parks or
 43 recreation areas, except nothing in this subsection shall prohibit a person from storing a firearm
 44 within a motor vehicle while the vehicle is on these grounds or areas. Nothing contained in this
 45 section prohibits municipalities or counties from exercising powers provided by law in states of
 46 emergency declared under Article 1A of Chapter 166A of the General Statutes.

47"

48 **SECTION 11.** G.S. 14-415.4(e)(2) reads as rewritten:

- 49 "(2) The petitioner is under indictment for a ~~felony or a finding of probable cause~~
 50 ~~exists against the petitioner for a felony.~~"

51 **SECTION 12.** G.S. 14-415.11(a) reads as rewritten:

1 "(a) Any person who has a concealed handgun permit may carry a concealed handgun
2 unless otherwise specifically prohibited by law. The person shall carry the permit together with
3 valid identification whenever the person is carrying a concealed handgun, shall disclose to any
4 law enforcement officer that the person holds a valid permit and is carrying a concealed handgun
5 when approached or addressed by the officer, and shall display both the permit and the proper
6 identification upon the request of a law enforcement officer. ~~In addition to these requirements, a
7 military permittee whose permit has expired during deployment may carry a concealed handgun
8 during the 90 days following the end of deployment and before the permit is renewed provided
9 the permittee also displays proof of deployment to any law enforcement officer."~~

10 **SECTION 13.** G.S. 14-415.22 is repealed.

11 **SECTION 14.** G.S. 74E-6 reads as rewritten:

12 "**§ 74E-6. Oaths, powers, and authority of company police officers.**

13 ...

14 (c) All Company Police. – Company police officers, while in the performance of their
15 duties of employment, have the same powers as municipal and county police officers to make
16 arrests for both felonies and misdemeanors and to charge for infractions on any of the following:

17 (1) Real property owned by or in the possession and control of their employer.

18 (2) Real property owned by or in the possession and control of a person who has
19 contracted with the employer to provide on-site company police security
20 personnel services for the property.

21 (3) Any other real property while in continuous and immediate pursuit of a person
22 for an offense committed upon property described in subdivisions (1) or (2)
23 of this subsection.

24 Company police officers shall have, if duly authorized by the superior officer in charge, the
25 authority to carry concealed weapons pursuant to and in conformity with ~~G.S. 14-269(b)(4) and~~
26 ~~(5).~~ G.S. 14-269(b)(4) and (b)(5) and G.S. 14-415.35.

27 "

28 **SECTION 15.** G.S. 74G-6 reads as rewritten:

29 "**§ 74G-6. Oaths, powers, and authority of campus police officers.**

30 ...

31 (d) Concealed Weapons. – Campus police officers shall have, if duly authorized by their
32 campus police agency and by the sheriff of the county in which the campus police agency is
33 located, the authority to carry concealed weapons pursuant to and in conformity with
34 ~~G.S. 14-269(b)(5).~~ G.S. 14-269(b)(5) and G.S. 14-415.35.

35 "

36 **SECTION 16.** G.S. 113-136 reads as rewritten:

37 "**§ 113-136. Enforcement authority of inspectors and protectors; refusal to obey or allow**
38 **inspection by inspectors and protectors.**

39 ...

40 (d) Inspectors and protectors are additionally authorized to arrest without warrant under
41 the terms of G.S. 15A-401(b) for felonies, for breaches of the peace, for assaults upon them or in
42 their presence, and for other offenses evincing a flouting of their authority as enforcement
43 officers or constituting a threat to public peace and order which would tend to subvert the
44 authority of the State if ignored. In particular, they are authorized, subject to the direction of the
45 administrative superiors, to arrest for violations of G.S. 14-223, 14-225, 14-269, ~~and~~
46 ~~14-277.~~ 14-277, and 14-415.35.

47 "

48 **SECTION 17.** Prosecutions for offenses committed before the effective date of this
49 act are not abated or affected by this act, and the statutes that would be applicable but for this act
50 remain applicable to those prosecutions.

1 **SECTION 18.** This act becomes effective December 1, 2025, and applies to offenses
2 committed on or after that date.