

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 50

AMENDMENT NO. A8
(to be filled in by
Principal Clerk)

S50-ACE-16 [v.4]

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Amends Title [YES]
Second Edition

Date _____, 2025

Senator Britt

1 moves to amend the bill on page 1, line 5, by inserting the following at the end of the line and
2 before the period:

3
4 "AND TO CREATE THE OFFENSE OF POSSESSING A FIREARM BY A FELON DURING
5 THE COMMISSION OR ATTEMPTED COMMISSION OF A FELONY";

6
7 and on page 7, lines 35-36, by inserting the following between the lines:

8
9 "SECTION 15.5 G.S. 14-415.1 reads as rewritten:

10 "**§ 14-415.1. Possession of firearms, etc., by felon prohibited.**

11 (a) It ~~shall be is~~ unlawful for any person who has been convicted of a felony to purchase,
12 own, possess, or have in ~~his~~ the person's custody, care, or control any firearm or any weapon of
13 mass death and destruction as defined in G.S. 14-288.8(c). For the purposes of this section, a
14 firearm is (i) any weapon, including a starter gun, which will or is designed to or may readily be
15 converted to expel a projectile by the action of an explosive, or its frame or receiver, or (ii) any
16 firearm muffler or firearm silencer. This section does not apply to an antique firearm, as defined
17 in G.S. 14-409.11.

18 Every person violating the provisions of this ~~section shall be punished as~~ subsection is guilty
19 of a Class G felon-felony.

20 (a1) A person who violates subsection (a) of this section during the commission or
21 attempted commission of a felony under (i) this Chapter or (ii) Article 5 of Chapter 90 of the
22 General Statutes is guilty of a Class F felony.

23 (b) Prior convictions which cause disqualification under this section shall only include:

- 24 (1) Felony convictions in North Carolina that occur before, on, or after December
25 1, 1995; and
- 26 (2) Repealed by Session Laws 1995, c. 487, s. 3, effective December 1, 1995.
- 27 (3) Violations of criminal laws of other states or of the United States that occur
28 before, on, or after December 1, 1995, and that are substantially similar to the
29 crimes covered in subdivision (1) which are punishable where committed by
30 imprisonment for a term exceeding one year.

31 When a person is charged under this section, records of prior convictions of any offense, whether
32 in the courts of this State, or in the courts of any other state or of the United States, shall be



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1 admissible in evidence for the purpose of proving a violation of this section. The term
2 "conviction" is defined as a final judgment in any case in which felony punishment, or
3 imprisonment for a term exceeding one year, as the case may be, is authorized, without regard to
4 the plea entered or to the sentence imposed. A judgment of a conviction of the defendant or a
5 plea of guilty by the defendant to such an offense certified to a superior court of this State from
6 the custodian of records of any state or federal court shall be prima facie evidence of the facts so
7 certified.

8 (c) The indictment charging the defendant under the terms of this section shall be separate
9 from any indictment charging him with other offenses related to or giving rise to a charge under
10 this section. An indictment which charges the person with violation of this section must set forth
11 the date that the prior offense was committed, the type of offense and the penalty therefor, and
12 the date that the defendant was convicted or plead guilty to such offense, the identity of the court
13 in which the conviction or plea of guilty took place and the verdict and judgment rendered
14 therein.

15 (d) This section does not apply to a person who, pursuant to the law of the jurisdiction in
16 which the conviction occurred, has been pardoned or has had his or her firearms rights restored
17 if such restoration of rights could also be granted under North Carolina law.

18 (e) This section does not apply and there is no disentitlement under this section if the
19 felony conviction is a violation under the laws of North Carolina, another state, or the United
20 States that pertains to antitrust violations, unfair trade practices, or restraints of trade."".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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Senate Principal Clerk's Office**