

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

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HOUSE BILL 427  
PROPOSED COMMITTEE SUBSTITUTE H427-PCS10388-CV-14

Short Title: CCW Permit/No Records Provided.

(Public)

Sponsors:

Referred to:

March 19, 2025

1 A BILL TO BE ENTITLED  
2 AN ACT TO REPLACE THE REQUIRED DISCLOSURE OF RECORDS CONCERNING  
3 THE MENTAL HEALTH OR CAPACITY OF AN APPLICANT FOR A CONCEALED  
4 HANDGUN PERMIT WITH A "YES" OR "NO" STATEMENT INDICATING WHETHER  
5 THE PERSON OR ENTITY HAS INFORMATION THAT THE APPLICANT HAS BEEN  
6 DIAGNOSED BY A MEDICAL PROFESSIONAL WITH A MENTAL ILLNESS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 14-415.13(a)(5) reads as rewritten:

9 "(5) A release, in a form to be prescribed by the Administrative Office of the  
10 Courts, that authorizes and requires disclosure to the sheriff of any records  
11 concerning the mental health ~~or capacity~~ of the applicant to be used for the  
12 sole purpose of determining whether the applicant is disqualified for a permit  
13 under the provisions of ~~G.S. 14-415.12~~. G.S. 14-415.12(b). This provision  
14 does not prohibit submitting information related to involuntary commitment  
15 to the National Instant Criminal Background Check System (NICS)."

16 **SECTION 2.** G.S. 14-415.14(c) reads as rewritten:

17 "(c) Any person or entity who is presented by the applicant or by the sheriff with an  
18 original or photocopied release form as described in G.S. 14-415.13(a)(5) ~~shall promptly disclose~~  
19 ~~to shall~~, within 15 days of receipt of the release, provide the sheriff any records concerning the  
20 mental health or capacity of the applicant who signed the form and authorized the release of the  
21 records with an initial statement indicating "Yes" or "No" as to whether the person or entity has  
22 medical records pertaining to the applicant. If a person or entity responds with an initial statement  
23 indicating "Yes," then the person or entity shall, no later than 30 days from the initial receipt of  
24 the release, provide the sheriff with a copy of any mental health records that indicate the applicant  
25 has been diagnosed by a medical professional with a mental illness. If the person or entity does  
26 not have records that indicate the applicant has been diagnosed by a medical professional with a  
27 mental illness, the person or entity must respond to the sheriff and provide a statement indicating  
28 that none of the records are related to a mental health diagnosis. In the absence of fraud or malice,  
29 no person or entity who responds with a statement in accordance with this subsection shall be  
30 liable for damages in a civil action if the statement and any accompanying information is found  
31 to be inaccurate or otherwise in error. Nothing in this subsection shall be construed as requiring  
32 the disclosure of records not related to mental health to the sheriff."

33 **SECTION 3.** G.S. 14-415.15(a) reads as rewritten:

34 "(a) Except as permitted under subsection (b) of this section, within 45 days after receipt  
35 of the items listed in G.S. 14-415.13 from an applicant, and receipt of the required records  
36 concerning the mental health ~~or capacity~~ of the applicant, the sheriff shall either issue or deny



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1 the permit. The sheriff may conduct any investigation necessary to determine the qualification or  
2 competency of the person applying for the permit, including record checks. The sheriff shall  
3 make the request for ~~any records~~ any statements concerning the mental health ~~or capacity records~~  
4 of the applicant within 10 days of receipt of the items listed in G.S. 14-415.13. No person,  
5 company, mental health provider, or governmental entity may charge additional fees to the  
6 applicant for background checks conducted under this subsection. A permit shall not be denied  
7 unless the applicant is determined to be ineligible pursuant to G.S. 14-415.12."

8 **SECTION 4.** G.S. 14-415.15(c) reads as rewritten:

9 "(c) A person's application for a permit shall be denied only if the applicant fails to qualify  
10 under the criteria listed in this Article. If the sheriff denies the application for a permit, the sheriff  
11 shall, within 45 days, notify the applicant in writing, stating the grounds for denial. Any grounds  
12 for denial provided in accordance with this subsection shall (i) identify any medical professional  
13 or facility who provided a copy of mental health records under G.S. 14-415.14(c) and (ii) provide  
14 contact information for any medical professional or facility who provided the copy. An applicant  
15 may appeal the denial, revocation, or nonrenewal of a permit by petitioning a district court judge  
16 of the district in which the application was filed. The determination by the court, on appeal, shall  
17 be upon the facts, the law, and the reasonableness of the sheriff's refusal. The determination by  
18 the court shall be final."

19 **SECTION 5.** By no later than September 30, 2025, the Administrative Office of the  
20 Courts shall update the release required under G.S. 14-415.13(a)(5) to reflect the amendment set  
21 forth in Section 1 of this act.

22 **SECTION 6.** This act becomes effective October 1, 2025, and applies to applications  
23 submitted on or after that date.