

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1173

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H1173-ACV-50 [v.1]

Page 1 of 2

Amends Title [NO]
Third Edition

Date _____, 2026

Representative Rubin

1 moves to amend the bill on page 3, lines 10-34, by rewriting those lines to read:

2 "SECTION 4.(a) Article 13A of Chapter 14 of the General Statutes is amended by
3 adding a new section to read:

4 "§ 14-50.32. Use, carry, or possess a firearm by a member of a criminal gang in relation to
5 or in furtherance of a serious felony, drug crime, or a crime of violence.

6 (a) For the purposes of this section, the following definitions apply:

7 (1) Brandish. – To display all or part of a firearm or otherwise make the presence
8 of the firearm known to another person.

9 (2) Crime of violence. – Any offense that would be chargeable by indictment
10 under the laws of this State for which the State proves, based on the
11 defendant's actual conduct in committing the offense, that the defendant or
12 another participant acting in concert with the defendant, used, attempted to
13 use, or threatened to use physical force against the person or property of
14 another.

15 (3) Drug crime. – Any offense that would be chargeable by indictment under
16 Article 5 of Chapter 90 of the General Statutes.

17 (4) Firearm. – Any (i) weapon, including a starter gun, which will or is designed
18 to or may readily be converted to expel a projectile by the action of an
19 explosive, or its frame or receiver, or (ii) firearm muffler or firearm silencer.
20 This term does not include an antique firearm as defined in G.S. 14-409.11.

21 (5) Serious felony. – Any offense that would be chargeable under Chapter 14 of
22 the General Statutes that is a Class A, B1, B2, C, D, or E felony.

23 (b) It shall be unlawful for any member of a criminal gang to use or carry a firearm during
24 and in relation to, or to possess a firearm in furtherance of, any serious felony, drug crime, or
25 crime of violence. A violation of this subsection is a Class G felony, unless subsection (c) or (d)
26 of this section applies.

27 (c) If a firearm is brandished during the commission of the offense, then the violation is
28 a Class F felony.

29 (d) If a firearm is discharged during the commission of the offense, then the violation is
30 a Class D felony."



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Page 2 of 2

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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