



# HOUSE BILL 189: NC Constitutional Carry Act.

2023-2024 General Assembly

<b>Committee:</b>	House Rules, Calendar, and Operations of the House	<b>Date:</b>	May 3, 2023
<b>Introduced by:</b>	Reps. Kidwell, Adams, Moss, Pless	<b>Prepared by:</b>	Susan Sitze
<b>Analysis of:</b>	Second Edition		Staff Attorney

**OVERVIEW:** *The Proposed Committee Substitute (PCS) for House Bill 189 would do the following:*

- *Allow the carry of a concealed handgun without a concealed handgun permit, except as otherwise prohibited by law.*
- *Authorize elected officials to carry a concealed handgun while performing their official duties if the official has a concealed handgun permit.*

## CURRENT LAW:

G.S. 14-269 generally prohibits the carrying of concealed weapons, including firearms. Exceptions include law enforcement officers and persons with a concealed handgun permit issued pursuant to Article 54B of Chapter 14 of the General Statutes.

## BILL ANALYSIS:

### Part I

**Part I** of the PCS would make the following changes to the ability of individuals to carry a concealed handgun:

- Amend G.S. 14-269 to remove the general prohibition on carrying a concealed firearm.
- Authorize the concealed carry of a handgun by any U.S. citizen, at least 18 years old, who has completed an approved firearm safety and training course unless the person is disqualified by G.S. 14-415.35(b) as proposed in Section 1.2 of the PCS.
- Prohibit concealed carry of a handgun in certain locations.
- Amend the current prohibitions against carrying a firearm into an assembly where a fee is charged for admission or an establishment where alcohol is served to only prohibit firearms in those locations if the person is consuming alcohol or has alcohol or a controlled substance remaining in their body.
- Amends several statutes that generally prohibit firearms in certain locations, but provide an exception for a person with a concealed handgun permit, to modify the exception to include any person carrying concealed.
- Continues to authorize the issuance of concealed handgun permits for purposes of reciprocity with other states, efficiency of purchasing a firearm, and various other reasons.
- Makes conforming changes.

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This part also amends the disqualifying criteria for restoration of firearm rights to a felon to remove a finding of probable cause for a felony from the list of disqualifying criteria. Being under indictment for a felony would remain a disqualifier.

## **Part II**

**Part II** of the PCS would add a person who is an elected official or appointed to fill an elective office in this State, when acting in discharge of their official duties, and who has a concealed handgun permit to carry concealed to the list of exempted parties that are authorized to carry a firearm in certain locations where possession of a firearm is generally prohibited. However, this would not allow those officials to carry a firearm on educational property.

**EFFECTIVE DATE:** Part I would become effective December 1, 2023, and apply to offenses committed on or after that date. Part II would be effective when it becomes law and apply to offenses committed on or after that date. The remainder of the act would be effective when it becomes law.