

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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HOUSE BILL 422

Short Title: 2nd Amendment Protection Act/Certain Counties. (Local)

Sponsors: Representative McNeely.

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Judiciary 1, if favorable, Local Government, if favorable, Rules, Calendar, and Operations of the House

March 29, 2021

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT A PERSON WHO HAS A CONCEALED CARRY HANDGUN PERMIT MAY CARRY A HANDGUN ON EDUCATIONAL PROPERTY THAT IS THE LOCATION OF BOTH A SCHOOL AND A PLACE OF RELIGIOUS WORSHIP AND TO ENACT THE 2ND AMENDMENT PROTECTION ACT OF 2021.

The General Assembly of North Carolina enacts:

**PART I. ALLOW HANDGUNS ON RELIGIOUS PROPERTY WITH A SCHOOL**

**SECTION 1.(a)** G.S. 14-269.2(a) is amended by adding a new subdivision to read:

"(1c) School operating hours. – Any time when any of the following occur:

- a. The premises are being used for curricular or extracurricular activities.
- b. The premises are being used for educational, instructional, or school-sponsored activities.
- c. The premises are being used for programs for minors by entities not affiliated with the religious institution."

**SECTION 1.(b)** G.S. 14-269.2 is amended by adding a new subsection to read:

"(k1) For the purposes of this subsection, property owned by a local board of education or county commission shall not be construed as a building that is a place of religious worship as defined in G.S. 14-54.1. The provisions of this section shall not apply to a person who has a concealed handgun permit that is valid under Article 54B of this Chapter, or who is exempt from obtaining a permit pursuant to that Article, if all of the following conditions apply:

- (1) The person possesses and carries a handgun on educational property other than an institution of higher education as defined by G.S. 116-143.1 or a nonpublic, postsecondary educational institution.
- (2) The educational property is the location of both a school and a building that is a place of religious worship as defined in G.S. 14-54.1.
- (3) The weapon is a handgun.
- (4) The handgun is only possessed and carried on educational property outside of the school operating hours.
- (5) The person or persons in legal possession or control of the premises have not posted a conspicuous notice prohibiting the carrying of a concealed handgun on the premises in accordance with G.S. 14-415.11(c)."

**SECTION 1.(c)** G.S. 14-415.11(c) reads as rewritten:



\* H 4 2 2 - V - 1 \*

1 "(c) Except as provided in G.S. 14-415.27, a permit does not authorize a person to carry  
2 a concealed handgun in any of the following:

3 (1) Areas prohibited by G.S. 14-269.2, ~~14-269.3, and 14-277.2~~except as allowed  
4 under G.S. 14-269.2(k1).

5 (1a) Areas prohibited by G.S. 14-269.3 and G.S. 14-277.2.

6 ...."

7 **SECTION 1.(d)** This Part becomes effective December 1, 2021, and applies to  
8 offenses committed on or after that date.

## 9 10 **PART II. CONCEALED HANDGUN PERMIT LAPSE**

11 **SECTION 2.(a)** G.S. 14-415.16(e) reads as rewritten:

12 "(e) If the permittee does not apply to renew the permit prior to its expiration date, but  
13 does apply to renew the permit ~~within no more than 60~~ days after the permit expires, the sheriff  
14 ~~may shall~~ waive the requirement of taking another firearms safety and training course. If the  
15 permittee applies to renew the permit more than 60 days after the permit expires, but no more  
16 than 180 days after the permit expires, the sheriff shall waive the requirement of taking another  
17 firearms and safety training course if the permittee (i) completes a refresher course on the laws  
18 governing the use or carry of firearms in this State that is certified or sponsored by at least one  
19 of the entities listed in G.S. 14-415.12(a)(4) and (ii) submits documentation to the sheriff  
20 confirming the permittee completed the refresher course. This subsection does not extend the  
21 expiration date of the permit."

22 **SECTION 2.(b)** This Part becomes effective October 1, 2021, and applies to renewal  
23 applications submitted on or after that date.

## 24 25 **PART III. CONCEALED CARRY FOR CERTAIN LAW ENFORCEMENT FACILITY** 26 **EMPLOYEES**

27 **SECTION 3.(a)** G.S. 14-415.27 reads as rewritten:

28 "**§ 14-415.27. Expanded permit scope for certain persons.**

29 Notwithstanding G.S. 14-415.11(c), any of the following persons who has a concealed  
30 handgun permit issued pursuant to this Article or that is considered valid under G.S. 14-415.24  
31 is not subject to the area prohibitions set out in G.S. 14-415.11(c) and may carry a concealed  
32 handgun in the areas listed in G.S. 14-415.11(c) unless otherwise prohibited by federal law:

33 ...

34 (10) For only a law enforcement facility covered under G.S. 14-415.11(c)(5), a  
35 person employed by a law enforcement agency who (i) is not a law  
36 enforcement officer sworn and certified pursuant to Article 1 of Chapter 17C  
37 or 17E of the General Statutes, (ii) has been designated in writing by the head  
38 of the law enforcement agency in charge of the facility, (iii) has in the person's  
39 possession written proof of the designation, and (iv) has not had the  
40 designation rescinded by the head of the law enforcement agency in charge of  
41 the facility. Nothing in this subdivision shall be construed as prohibiting the  
42 head of the law enforcement agency in charge of a facility from rescinding  
43 any written designation described in this subdivision."

44 **SECTION 3.(b)** This Part becomes effective July 1, 2021, and applies to offenses  
45 committed on or after that date.

## 46 47 **PART IV. CONCEALED CARRY FOR CERTAIN EMERGENCY MEDICAL** 48 **SERVICES PERSONNEL**

49 **SECTION 4.(a)** G.S. 14-269 reads as rewritten:

50 "**§ 14-269. Carrying concealed weapons.**

1 (a) It shall be unlawful for any person willfully and intentionally to carry concealed about  
 2 his or her person any bowie knife, dirk, dagger, slung shot, loaded cane, metallic knuckles, razor,  
 3 shuriken, stun gun, or other deadly weapon of like kind, except when the person is on the person's  
 4 own premises.

5 ...

6 (b) This prohibition shall not apply to the following persons:

7 ...

8 (10) Emergency medical services personnel, as defined in G.S. 131E-155, while  
 9 on duty, who are deployed as part of their official duties providing tactical  
 10 medical assistance to law enforcement in a Special Weapons and Tactics  
 11 (SWAT) operation. In order to qualify under this subdivision, emergency  
 12 medical services personnel shall have completed an approved tactical medical  
 13 assistance course for supporting tactical law enforcement operations. An  
 14 approved course shall (i) include an element on firearms safety and training,  
 15 (ii) include instruction in the laws of this State governing the use of deadly  
 16 force, and (iii) require training and qualification on all weapons systems, both  
 17 lethal and less than lethal, deemed necessary by any law enforcement agency  
 18 the emergency medical services personnel supports. For purposes of this  
 19 subdivision, an approved course shall be any course which satisfies the  
 20 requirements of this subdivision and is certified or sponsored by one or more  
 21 of the following organizations:

22 a. The North Carolina Criminal Justice Education and Training  
 23 Standards Commission.

24 b. The National Rifle Association.

25 c. A law enforcement agency, college, private or public institution or  
 26 organization, or firearms training school, taught by instructors  
 27 certified by the North Carolina Criminal Justice Education and  
 28 Training Standards Commission or the National Rifle Association.

29 Every instructor of an approved course shall file a copy of the course  
 30 description, outline, and proof of certification annually, or upon modification  
 31 of the course if more frequently, with the North Carolina Criminal Justice  
 32 Education and Training Standards Commission.

33 ...."

34 **SECTION 4.(b)** This Part becomes effective December 1, 2021, and applies to  
 35 offenses committed on or after that date.

36  
 37 **PART V. APPLICABILITY AND EFFECTIVE DATE**

38 **SECTION 5.1.** This act only applies to the following counties:

- 39 (1) Iredell County.
- 40 (2) Lenoir County.
- 41 (3) Beaufort County.
- 42 (4) Craven County.
- 43 (5) Pender County.
- 44 (6) Columbus County.
- 45 (7) Lincoln County.
- 46 (8) Yadkin County.

47 **SECTION 5.2.** Except as otherwise provided, this act is effective when it becomes  
 48 law.