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HOUSE PRINCIPAL CLERK

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE DRH10025-LH-4A (09/26)

Short Title:	Gun Permits/Restaurants & Confidentiality.	(Public)
Sponsors:	Representatives Burr, Hager, Hollo, and J. Bell (Primary Sponsors).	
Referred to:		

A BILL TO BE ENTITLED

AN ACT TO ALLOW PERSONS WITH CONCEALED HANDGUN PERMITS TO POSSESS HANDGUNS IN RESTAURANTS AND EATING ESTABLISHMENTS IF NOT PROHIBITED BY THE POSTING OF A NOTICE PROHIBITING POSSESSION ON THE PREMISES AND TO PROVIDE FOR THE CONFIDENTIALITY OF INFORMATION REGARDING CONCEALED HANDGUN PERMITS AND PISTOL PURCHASE PERMITS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-269.3(b) is amended by adding a new subdivision to read:

"(5) A person on the premises of an eating establishment as defined in G.S. 18B-1000(2) or a restaurant as defined in G.S. 18B-1000(6), provided the person has a valid concealed handgun permit under Article 54B of Chapter 14 of the General Statutes. This subdivision shall not be construed to permit a person to carry a concealed handgun on the premises of an eating establishment or a restaurant where the person in legal possession or control of the premises has posted a conspicuous notice prohibiting the carrying of a concealed handgun on the premises in accordance with G.S. 14-415.11(c)."

SECTION 2. G.S. 14-415.17 reads as rewritten:

"**§ 14-415.17. Permit; sheriff to retain ~~and make available to law enforcement agencies~~ a list of ~~permittees.~~permittees; confidentiality of list and permit application information; availability to law enforcement agencies.**

(a) The permit shall be in a certificate form, as prescribed by the Administrative Office of the Courts, that is approximately the size of a North Carolina drivers license. It shall bear the signature, name, address, date of birth, and the drivers license identification number used in applying for the permit.

(b) The sheriff shall maintain a listing, including the identifying information, of those persons who are issued a permit. ~~The permit information shall be available upon request to all State and local law enforcement agencies.~~ Within five days of the date a permit is issued, the sheriff shall send a copy of the permit to the State Bureau of Investigation. ~~The State Bureau of Investigation shall make this information available to law enforcement officers and clerks of court on a statewide system.~~

(c) Except as provided otherwise by this subsection, the list of permit holders and the information collected by the sheriff to process an application for a permit are confidential and are not a public record under G.S. 132-1. The sheriff shall make the list of permit holders and the permit information available upon request to all State and local law enforcement agencies.

The State Bureau of Investigation shall make the list of permit holders and the information collected by the sheriff to process an application for a permit available to law enforcement officers on a statewide system."

SECTION 3. G.S. 14-405 reads as rewritten:

"**§ 14-405. Record of permits kept by ~~sheriff.~~ sheriff; confidentiality of permit information.**

(a) The sheriff shall keep a book, to be provided by the board of commissioners of each county, in which he shall keep a record of all licenses or permits issued under this article, including the name, date, place of residence, age, former place of residence, etc., of each such person, firm, or corporation to whom or which a license or permit is issued.

(b) The records maintained by the sheriff pursuant to this section are confidential and are not a public record under G.S. 132-1; provided, however, that the sheriff shall make the records available upon request to all State and local law enforcement agencies."

SECTION 4. G.S. 14-406 reads as rewritten:

"**§ 14-406. Dealer to keep record of ~~sales.~~ sales; confidentiality of records.**

(a) Every dealer in pistols and other weapons mentioned in this Article shall keep an accurate record of all sales thereof, including the name, place of residence, date of sale, etc., of each person, firm, or corporation to whom or which such sales are ~~made, which record shall be open to the inspection of any duly constituted State, county or police officer, within this State.~~made. The records maintained by a dealer pursuant to this section are confidential and are not a public record under G.S. 132-1; provided, however, that the dealer shall make the records available upon request to all State and local law enforcement agencies.

(b) Repealed by Session Laws 2011-56, s. 3, effective April 28, 2011."

SECTION 5. This act becomes effective December 1, 2013.