

1 **Chapter 127B.**

2 **Military Affairs.**

3 Article 1.

4 Military Property Sales Facilities.

5 **§127B-1. Military property sales facility defined.**

6 Any person, partnership, association or corporation who engages in the business of selling,  
7 consigning, purchasing, transferring or in any way acquiring military property for resale, is a  
8 "military property sales facility". Specifically excluded are facilities operated by the United  
9 States Government, the State of North Carolina or any of its agencies and persons, partnerships,  
10 associations or corporations selling or purchasing military property pursuant to a contract with  
11 the United States Government, the State of North Carolina or any of its agencies. (1985, c. 522,  
12 s. 1.)  
13

14 **§ 127B-2. Military property defined.**

15 "Military property" means property originally manufactured for the United States or State  
16 of North Carolina which is a type and kind issued for use in, or furnished and intended for, the  
17 Armed Forces of the United States or the militia of the State of North Carolina. (1985, c. 522,  
18 s. 1; 2011-183, s. 91.)  
19

20 **§ 127B-3. License.**

21 No person, partnership, association or corporation shall engage in the business of selling  
22 military property or purchasing military property for resale without first having obtained a  
23 license to do so from the local governing body of the city, town, or county in which it is located  
24 and by paying the county, State, and municipal tax required by law, and otherwise complying  
25 with the requirements made in this and succeeding sections. The license shall be posted in a  
26 prominent place, easily visible to the public, on the designated premises. (1985, c. 522, s. 1.)  
27

28 **§ 127B-4. Local governing authorities to grant and control license; bond.**

29 (a) The governing body of any city, town, or county in this State may grant to such  
30 person, partnership, association or corporation as who shall produce satisfactory evidence of  
31 good character, a license authorizing such person, partnership, association or corporation to  
32 carry on the business of a military property sales facility. The license shall designate the  
33 building in which the person, partnership, association or corporation shall carry on the business,  
34 and no person, partnership, association or corporation shall carry on the business of a military  
35 property sales facility without being duly licensed, nor in any other building than the one  
36 designated in the license.

37 (b) Any person or the principal officers of any association or corporation or all the  
38 partners of any partnership applying for a license shall furnish the governing body the  
39 following information:

- 40 (1) Full name, and any other names used by the applicant during the preceding  
41 five years, or in the case of a partnership, association or corporation, the  
42 applicant shall list any partnership, association, or corporate names used  
43 during the preceding five years;  
44 (2) Current address, and all addresses used by the applicant during the preceding  
45 five years;  
46 (3) Physical description;  
47 (4) Age;  
48 (5) Driver's license number, if any, and state of issuance;  
49 (6) Recent color photograph;  
50 (7) Record of felony convictions; and  
51 (8) Record of other convictions during the preceding five years.

1 (c) Every person, partnership, association or corporation so licensed to carry on the  
2 business of a military property sales facility shall, at the time of receiving a license, file with  
3 the governing body of the city, town, or county granting the license, a bond payable to the city,  
4 town, or county in the sum of one thousand dollars (\$1,000), to be executed by the person  
5 licensed and by two responsible sureties, or a surety company licensed to do business in the  
6 State of North Carolina, to be approved of by the governing body. The bond shall be for the  
7 faithful performance of the requirements and obligations pertaining to the business licensed.  
8 The governing body, may revoke the license and sue for forfeiture of the bond upon a breach of  
9 the licensee's duties under the bond. Any person who may obtain a judgment against a military  
10 property sales facility and upon which judgment execution is returned unsatisfied may maintain  
11 an action in his own name upon the bond of the military property sales facility, in any court  
12 having jurisdiction of the amount demanded to satisfy the judgment. (1985, c. 522, s. 1.)  
13

14 **§ 127B-5. Perjury; punishment.**

15 Any person who shall willfully commit perjury in any application for a permit pursuant to  
16 this Article shall be guilty of a Class 1 misdemeanor. (1985, c. 522, s. 1; 1993, c. 539, s. 939;  
17 1994, Ex. Sess., c. 24, s. 14(c).)  
18

19 **§ 127B-6. Records to be kept.**

20 (a) Every military property sales facility owner shall keep a book in which shall be  
21 legibly written, at the time of each transaction involving the acquisition by any means of used  
22 or new military property by the military property sales facility owner, his employee or agent,  
23 from any person, partnership, association or corporation, the following information:

- 24 (1) An account and description of the used or new military property including if  
25 applicable, the manufacturer's name, the model, the model number, the serial  
26 number of the property, and any engraved numbers or initials found on the  
27 property. Property lacking any identifying mark or characteristic shall be  
28 marked by the military property sales facility owner in such a way as to  
29 allow clear identification of the property.  
30 (2) The amount of money paid;  
31 (3) The date of the transaction; and  
32 (4) The name and residence of the person selling, consigning or transferring the  
33 used or new military property.

34 (b) The military property sales facility owner, or his employee or agent shall require  
35 that the person selling the new or used military property, to present two forms of positive  
36 identification to him before the military property sales facility personnel may complete any  
37 transaction regarding the buying, consigning or acquiring of new or used military property. The  
38 presentation of any one state or federal government issued identification containing a  
39 photographic representation imprinted on it shall constitute compliance with the identification  
40 requirements of this paragraph. The military property sales facility owner or his employee or  
41 agent shall legibly record this identification information next to the person's name and  
42 residence in the book required to be kept. Both the military property sales facility owner, his  
43 employee or agent and the seller, consignor or transferor of the military property shall sign the  
44 record entry.

45 (c) The book shall be a permanent record to be kept at all times on the premises of the  
46 place of business of the military property sales facility and shall be made available, during  
47 regular business hours, to any law enforcement officer who requests to inspect the book. A  
48 copy of the records required to be kept by this section shall be filed within 48 hours of the  
49 transaction in the office of the local law enforcement agency serving the city, town, or county  
50 which issued the license to the military. Mailing the required copy to the local law enforcement  
51 agency within 48 hours shall constitute compliance with this section. (1985, c. 522, s. 1.)

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2 **§ 127B-7. Penalties.**

3 Any dealer who violates the provisions of this Article shall be guilty of a Class 2  
4 misdemeanor. In addition, any dealer convicted of violating this Article shall be ineligible for a  
5 dealer's permit for a period of three years from the date of conviction. Each violation shall  
6 constitute a separate and distinct offense. (1985, c. 522, s. 1; 1993, c. 539, s. 940; 1994, Ex.  
7 Sess., c. 24, s. 14(c).)

8  
9 **§§ 127B-8 through 127B-9. Reserved for future codification purposes.**

10  
11 Article 2.

12 Discrimination Against Military Personnel.

13 **§ 127B-10. Purpose.**

14 The General Assembly finds and declares that military personnel in North Carolina vitally  
15 affect the general economy of this State and that it is in the public interest and public welfare to  
16 ensure that no discrimination against military personnel is practiced by any business. (1985, c.  
17 522, s. 1.)

18  
19 **§ 127B-11. Private discrimination prohibited.**

20 No person shall discriminate against any officer, warrant officer or enlisted person of the  
21 military forces of the State or of the United States because of their membership therein. No  
22 member of these military forces shall be prejudiced or injured by any person, employer, officer  
23 or agent of any corporation, company or firm with respect to their employment, position or  
24 status or denied or disqualified for employment by virtue of their membership or service in the  
25 military forces of this State or of the United States. (1985, c. 522, s. 1; 2011-183, s. 92.)

26  
27 **§ 127B-12. Public discrimination prohibited.**

28 No officer or employee of the State, or of any county, city and county, municipal  
29 corporation, school district, water district, or other district shall discriminate against any  
30 officer, warrant officer or enlisted person of the military forces of the State or of the United  
31 States because of their membership therein. No member of the military forces shall be  
32 prejudiced or injured by any officer or employee of the State, or of any county, city and county,  
33 municipal corporation, school district, water district, or other district with respect to their  
34 employment, appointment, position or status or denied or disqualified for or discharged from  
35 their employment or position by virtue of their membership or service in the military forces of  
36 this State or of the United States. (1985, c. 522, s. 1; 2011-183, s. 93.)

37  
38 **§ 127B-13. Refusing entrance prohibited.**

39 No person shall prohibit or refuse entrance to any officer, warrant officer or enlisted person  
40 of the military forces of this State or of the United States into any public place of entertainment,  
41 of amusement, or accommodation because the officer or enlisted person is wearing the uniform  
42 of the organization to which they belong or because of their membership or service in the  
43 military forces of this State or of the United States. (1985, c. 522, s. 1; 2011-183, s. 94.)

44  
45 **§ 127B-14. Employer discrimination prohibited.**

46 No employer or officer or agent of any corporation, company, or firm, or other person shall  
47 discharge any person from employment because of the performance of any emergency military  
48 duty by reason of being an officer, warrant officer or enlisted person of the military forces of  
49 this State or the United States. (1985, c. 522, s. 1; 2011-183, s. 95.)

50  
51 **§ 127B-15. Penalties.**

1 Any person who violates the provisions of this Article shall be deemed guilty of a Class 2  
2 misdemeanor. Each violation shall constitute a separate and distinct offense. (1985, c. 522, s.  
3 1; 1993, c. 539, s. 941; 1994, Ex. Sess., c. 24, s. 14(c).)

4  
5 Article 3.

6 Research Collaboration on Health and Other Problems.

7 **§ 127B-20. Collaboration on research to address health and other problems required;**  
8 **report by UNC General Administration.**

9 (a) The General Administration of The University of North Carolina, in collaboration  
10 with Operation Re-Entry North Carolina at East Carolina University, North Carolina  
11 Translational and Clinical Sciences Institute, other institutions of higher education in this State,  
12 the North Carolina National Guard, and the United States Department of Veterans Affairs,  
13 shall, to the extent available resources allow, collaborate on research to address the behavioral  
14 health problems and challenges facing military personnel, veterans, and their families.

15 (b) The research required by this section shall be conducted by collaborative research  
16 teams which shall include civilian investigators from institutions of higher learning in this State  
17 and private research organizations, health providers in regional and national military health  
18 system institutions, and providers and investigators in VISN 6 in the VA system. These teams  
19 shall aggressively pursue federal funding to conduct the research required by this section.

20 (c) At a minimum, the research required by this section shall include the following  
21 goals:

- 22 (1) To define the behavioral health problems facing service members, veterans,  
23 and their families, with a special emphasis on the behavioral health needs of  
24 the reserve components of the Armed Forces of the United States, including  
25 the National Guard.
- 26 (2) To develop, implement, and evaluate innovative pilot programs to improve  
27 the quality, accessibility, and delivery of behavioral health services provided  
28 to this population.
- 29 (3) To evaluate the effectiveness of new programs put into place by the National  
30 Guard and other military organizations to address the behavioral health  
31 challenges facing military service personnel, veterans, and family members.  
32 The National Guard shall cooperate in providing information to assess the  
33 effectiveness of behavioral health services provided to it and its members.
- 34 (4) To contribute to the knowledge of evidence-based behavioral health  
35 screening, diagnosis, treatment, and recovery supports for military service  
36 personnel, veterans, and their families.
- 37 (5) To study other issues pursuant to requests by the various branches of the  
38 active and reserve components of the Armed Forces of the United States and  
39 the United States Department of Veterans Affairs, in order to improve  
40 behavioral health services for service members, veterans, and their families.

41 (d) On July 1, 2012, and annually thereafter, the General Administration of The  
42 University of North Carolina shall report its findings to the Joint Legislative Health Care  
43 Oversight Committee and to the House of Representatives and Senate Appropriations  
44 Subcommittees on Health and Human Services. (2011-185, s. 10(a)-(d).)