

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

SESSION LAW 2000-191
HOUSE BILL 1508

AN ACT TO ELIMINATE THE FINGERPRINTING REQUIREMENT FOR RENEWAL OF A CONCEALED HANDGUN PERMIT WHERE DOING SO WOULD NOT IMPEDE CRIMINAL RECORD UPDATES; TO DECREASE THE FEE FOR RENEWAL OF A CONCEALED HANDGUN PERMIT; TO EXTEND THE CONCEALED HANDGUN PERMIT PERIOD TO FIVE YEARS; AND TO CLARIFY THAT THE RELEASE FORM SUBMITTED FOR A CONCEALED HANDGUN APPLICANT'S MENTAL HEALTH RECORDS MAY BE AN ORIGINAL OR PHOTOCOPIED FORM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-415.16 reads as rewritten:

"§ 14-415.16. Renewal of permit.

The holder of a permit shall apply to renew the permit at least 30 days prior to its expiration date by filing with the sheriff of the county in which the person resides a renewal form provided by the sheriff's office, a notarized affidavit stating that the permittee remains qualified under the criteria provided in this Article, a newly administered full set of the permittee's fingerprints, and a renewal fee. Upon receipt of the completed renewal application, including the permittee's fingerprints, and the appropriate payment of fees, the sheriff shall determine if the permittee remains qualified to hold a permit in accordance with the provisions of G.S. 14-415.12. The permittee's criminal history shall be updated, and the sheriff may waive the requirement of taking another firearms safety and training course. If the permittee applies for a renewal of the permit within 30 days of its expiration date and if the permittee remains qualified to have a permit under G.S. 14-415.12, the sheriff shall renew the permit. No fingerprints shall be required for a renewal permit if the applicant's fingerprints were submitted to the State Bureau of Investigation after June 30, 2001, on the Automated Fingerprint Information System (AFIS) as prescribed by the State Bureau of Investigation."

Section 2. G.S. 14-415.19 reads as rewritten:

"§ 14-415.19. Fees.

(a) The permit fees assessed under this Article are payable to the sheriff. The sheriff shall transmit the proceeds of these fees to the county finance officer to be remitted or credited by the county finance officer in accordance with the provisions of this subsection. The permit fees are as follows:

Application fee..... \$80.00

Renewal fee ~~\$80.00~~ \$75.00
Duplicate permit fee \$15.00

The county finance officer shall remit forty-five dollars (\$45.00) of each new application fee ~~or~~ and forty dollars (\$40.00) of each renewal fee to the North Carolina Department of Justice for the costs of State and federal criminal record checks performed in connection with processing applications and for the implementation of the provisions of this Article. The remaining thirty-five dollars (\$35.00) of each application or renewal fee shall be used by the sheriff to pay the costs of administering this Article and for other law enforcement purposes. The county shall expend the restricted funds for these purposes only.

(b) An additional fee, not to exceed ten dollars (\$10.00), shall be collected by the sheriff from an applicant for a permit to pay for the costs of processing the applicant's ~~fingerprints.~~ fingerprints, if fingerprints were required to be taken. This fee shall be retained by the sheriff."

Section 3. G.S. 14-415.14 is amended by adding a new subsection to read:

"(c) Any person or entity who is presented by the applicant or by the sheriff with an original or photocopied release form as described in G.S. 14-415.13(a)(5) shall promptly disclose to the sheriff any records concerning the mental health or capacity of the applicant who signed the form and authorized the release of the records."

Section 4. The Division of Mental Health, Developmental Disabilities, and Substance Abuse Services of the Department of Health and Human Services shall notify by United States mail, telefacsimile, or electronic mail all mental health clinics, hospitals, and licensed mental health professionals in North Carolina about the requirement in Section 3 of this act within 30 days after the effective date of this act.

Section 5. G.S. 14-415.11(b) reads as rewritten:

"(b) The sheriff shall issue a permit to carry a concealed handgun to a person who qualifies for a permit under G.S. 14-415.12. The permit shall be valid throughout the State for a period of ~~four~~ five years from the date of issuance."

Section 6. Section 5 of this act applies to permits issued or renewed on or after July 1, 2000. The remainder of this act is effective July 1, 2000.

In the General Assembly read three times and ratified this the 12th day of July, 2000.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 4:05 p.m. this 7th day of August, 2000