

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

H

2

HOUSE BILL 817
Senate Judiciary I Committee Substitute Adopted 6/15/04

Short Title: Gun Sale Legal w/Concealed Handgun Permit.

(Public)

Sponsors:

Referred to:

April 1, 2003

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT A PISTOL MAY BE PURCHASED BY A PERSON WHO HAS A CONCEALED HANDGUN PERMIT WITHOUT OBTAINING AN ADDITIONAL PERMIT TO PURCHASE A HANDGUN AND TO AUTHORIZE THE DIVISION OF MOTOR VEHICLES TO ISSUE A NATIONAL RIFLE ASSOCIATION SPECIAL REGISTRATION PLATE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-402 reads as rewritten:

"§ 14-402. Sale of certain weapons without permit forbidden.

(a) It ~~shall be~~ is unlawful for any person, firm, or corporation in this State to sell, give away, or transfer, or to purchase or receive, at any place within this State from any other place within or without the State any pistol or crossbow ~~unless a~~ unless: (i) a license or permit therefor has is first been obtained under this Article by the purchaser or receiver from the sheriff of the county in which ~~that the~~ purchaser or receiver resides; or (ii) a valid North Carolina concealed handgun permit is held under Article 54B of this Chapter by the purchaser or receiver who must be a resident of the State at the time of the purchase.

It ~~shall be~~ is unlawful for any person or persons to receive from any postmaster, postal clerk, employee in the parcel post department, rural mail carrier, express agent or employee, railroad agent or employee within the State of North Carolina any pistol or crossbow without having in his or their possession and without exhibiting at the time of the delivery of the same and to the person delivering the same the permit from the sheriff as provided in G.S. 14-403. Any person violating the provisions of this section ~~shall be~~ is guilty of a Class 2 misdemeanor.

(b) This section does not apply to an antique firearm or an historic edged weapon.

(c) The following definitions apply in this section:

(1) Antique firearm. – Defined in G.S. 14-409.11.

- 1 (2) Bolt. – A projectile made to be discharged from a crossbow. The bolt
2 differs from an arrow in that the bolt is heavier and shorter than an
3 arrow.
- 4 (3) Crossbow. – A mechanical device consisting of, but not limited to,
5 strings, cables, and prods transversely mounted on either a shoulder or
6 hand-held stock. This devise [device] is mechanically held at full or
7 partial draw and released by a trigger or similar mechanism which is
8 incorporated into a stock or handle. When operated, the crossbow
9 discharges a projectile known as a bolt.
- 10 (4) Historic edged weapon. – Defined in G.S. 14-409.12."

11 **SECTION 2.** G.S. 20-79.4(b) reads as rewritten:

12 "(b) Types. – The Division shall issue the following types of special registration
13 plates:

- 14 ...
- 15 ~~(28)~~(27i) National Guard Member. – Issuable to an active or a retired
16 member of the North Carolina National Guard. The plate shall bear the
17 phrase "National Guard". A plate issued to an active member shall
18 bear a number that reflects the seniority of the member; a plate issued
19 to a commissioned officer shall begin with the number "1"; a plate
20 issued to a noncommissioned officer with a rank of E7, E8, or E9 shall
21 begin with the number "1601"; a plate issued to an enlisted member
22 with a rank of E6 or below shall begin with the number "3001". The
23 plate issued to a retired or separated member shall indicate the
24 member's retired status.
- 25 (28) National Rifle Association. – Issuable to the registered owner of a
26 motor vehicle. The plate may bear a phrase or insignia representing the
27 National Rifle Association of America. The Division shall not use the
28 name and logo of the National Rifle Association of America on the
29 plate unless the National Rifle Association of America licenses,
30 without charge, the State to use the name and logo on the plate. The
31 Division must receive 300 or more applications for the plate before it
32 may be developed."

33 **SECTION 3.** This act is effective when it becomes law.