

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 1287

Short Title: Report Denial of Some Pistol Permits. (Public)

Sponsors: Representatives Sutton, Jeffus, Harrison (Primary Sponsors); and Insko.

Referred to: Judiciary III.

April 3, 2007

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT DENIAL OF A LICENSE OR PERMIT TO
3 PURCHASE A PISTOL SHALL BE REPORTED TO THE STATE BUREAU OF
4 INVESTIGATION BY ENTRY INTO AN APPROPRIATE COMPUTERIZED
5 DATABASE THAT IS ACCESSIBLE TO SHERIFFS STATEWIDE.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Article 52A of Chapter 14 of the General Statutes is amended
8 by adding a new section to read:

9 "**§ 14-404.1. Report denial of license or permit to SBI by entry into State**
10 **computerized database.**

11 (a) If a sheriff declines to issue a permit as provided by G.S. 14-404(b), the
12 sheriff shall notify the State Bureau of Investigation and provide all of the following
13 information to the State Bureau of Investigation by entry into a State computerized
14 database designated by the State Bureau of Investigation:

- 15 (1) A statement that the license or permit was denied in accordance with
16 G.S. 14-404(b).
17 (2) The date of the denial.
18 (3) The county in which the license or permit was denied.
19 (4) Sufficient information to identify the applicant.

20 Information entered into the database in compliance with this subsection shall be
21 entered in such a manner that a notation of the denial will appear in any subsequent
22 record check conducted in accordance with this Article.

23 (b) Any information entered into the database in accordance with subsection (a)
24 of this section shall be automatically deleted from the database eight years from the date
25 it was entered.

26 (c) If a person successfully appeals the denial of a permit as provided by
27 G.S. 14-404(b), then the person may provide the sheriff with an official copy of the
28 court's determination and request in writing that the sheriff remove the notation
29 regarding the denial of the person's application for a permit from the appropriate State

1 computerized database. The sheriff shall notify the State Bureau of Investigation of any
2 request made in compliance with this subsection within five business days of the receipt
3 of the request. The State Bureau of Investigation shall remove the notation within five
4 business days of its receipt of the request from the sheriff."

5 **SECTION 2.** By September 1, 2007, the State Bureau of Investigation shall
6 have identified an appropriate State computerized database that is easily accessible and
7 available to sheriffs statewide.

8 **SECTION 3.** With funds appropriated to the Department of Justice in the
9 2007-2008 fiscal year, the State Bureau of Investigation shall begin to implement the
10 provisions of this act, including identifying a State computerized database, developing
11 necessary software, providing training on use of the database, and taking any other
12 action necessary to ensure that the database is fully operational.

13 **SECTION 4.** Section 1 of this act becomes effective September 1, 2008.
14 The remainder of this act is effective when it becomes law.