

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 817
Commerce Committee Substitute Adopted 4/23/01
Finance Committee Substitute Adopted 7/4/01

Short Title: Building Code Revisions.

(Public)

Sponsors:

Referred to:

April 3, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE STATE BUILDING CODE REGARDING DOOR LOCK
3 REQUIREMENTS IN CERTAIN SITUATIONS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 9 of Chapter 143 of the General Statutes is amended by
6 adding a new section to read:

7 "**§ 143-143.4. Door lock exemption for certain businesses.**

8 (a) Notwithstanding this Article or any other law to the contrary, any business
9 entity licensed to sell automatic weapons as a federal firearms dealer that is in the
10 business of selling firearms or ammunition or that operates a firing range which rents
11 firearms and sells ammunition shall be exempt from the door lock requirements of
12 Chapter 10 of Volume 1 of the North Carolina State Building Code when issued a
13 permit to that effect by the Department of Insurance in accordance with this section.

14 (b) The Department of Insurance shall issue a permit to a business entity
15 specified in subsection (a) of this section for an exemption from the door lock
16 requirements of Chapter 10 of Volume 1 of the North Carolina State Building Code if
17 all of the following conditions are met:

18 (1) The building or facility in which business is conducted has a sales
19 floor and customer occupancy space that is contained on one floor and
20 is no larger than 15,000 square feet of retail sales space. Retail sales
21 space is that area where firearms or ammunition are displayed and
22 merchandised for sale to the public.

23 (2) The building or facility in which business is conducted is equipped
24 with an approved smoke, fire, and break-in alarm system installed and
25 operated in accordance with rules adopted by the Department of
26 Insurance.

27 (3) The owner or operator of the business will provide to all applicable
28 employees within 10 days of the issuance of the permit under this

1 section or at the time the employee is hired, whichever time is later, a
2 written facility locking plan applicable for the close of business each
3 day.

4 (4) Each entrance to the building or facility in which business is conducted
5 is posted with a sign conspicuously located that warns that the building
6 is exempt from the door lock requirements of the State Building Code,
7 and that after business hours the building or facility's doors will
8 remained locked from the inside even in the case of fire.

9 (5) Payment of a permit fee of five hundred dollars (\$500.00) to the
10 Department of Insurance.

11 (c) The Department of Insurance shall file a copy of the permit issued in
12 accordance with subsection (b) of this section with all local law enforcement and fire
13 protection agencies that provide protection for the business entity.

14 (d) The Department of Insurance shall be responsible for any inspections
15 necessary for the issuance of permits under this section and, in conjunction with local
16 inspection departments, shall be responsible for periodic inspections to ensure
17 compliance with the requirements of this section. The Department of Insurance may
18 contract with local inspection departments to conduct inspections under this subsection.

19 (e) The Department of Insurance shall revoke a permit issued under this section
20 upon a finding that the requirements for the original issuance of the permit are not being
21 complied with.

22 (f) Appeals of decisions of the Department of Insurance regarding the issuance
23 or revocation of permits under this section shall be in accordance with Chapter 150B of
24 the General Statutes.

25 (g) For the purposes of this section, 'business entity' has the same meaning as in
26 G.S. 59-102.

27 (h) In addition to the provisions of G.S. 143-138(h), the owner or operator of any
28 business entity who is issued a permit as a door lock exempt business in accordance
29 with subsection (b) of this section who fails to comply with the permit requirements of
30 subsection (b) of this section shall be subject to a civil penalty of five hundred dollars
31 (\$500.00) for the first offense, one thousand dollars (\$1,000) for the second offense, and
32 five thousand dollars (\$5,000) for the third and subsequent offenses, except when the
33 building or facility in which business is conducted is in compliance with the door lock
34 requirements of Chapter 10 of Volume 1 of the North Carolina State Building Code.
35 Penalties authorized in this subsection shall be imposed by the city or county in which
36 the violation occurs. Each day the building or facility in which business is conducted is
37 not in compliance with the provisions of this subsection constitutes a separate offense.

38 (i) The Department of Insurance shall adopt rules to implement this section."

39 **SECTION 2.** Chapter 58 of the General Statutes is amended by adding a
40 new Article to read:

41 "Article 59.

42 "Door Lock Exemption Requirements.

1 **"§ 58-89-01. Door lock exemption permit.**

2 Any business entity licensed to sell automatic weapons as a federal firearms dealer
3 that is in the business of selling firearms or ammunition or that operates a firing range
4 which rents firearms and sells ammunition that desires to be exempt from the door lock
5 requirements of Chapter 10 of Volume 1 of the North Carolina State Building Code may
6 apply for a permit to do so with the Department in accordance with G.S. 143-143.4 and
7 rules adopted by the Department. The Department shall charge a permit fee of five
8 hundred dollars (\$500.00) for the issuance of a permit issued pursuant to G.S. 143-
9 143.4."

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