

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

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**HOUSE BILL 1401**

Short Title: Concealed Carry By Law Enforcement Officers. (Public)

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Sponsors: Representatives Folwell; Almond, Barnhart, Blackwood, Blust, Brown, Capps, Cleveland, Culp, Current, Dollar, Frye, Grady, Hilton, Hollo, Holloway, Howard, Johnson, Ed Jones, Justus, Kiser, Langdon, LaRoque, Lewis, McGee, McMahan, Moore, Preston, Setzer, Starnes, Vinson, Walend, Walker, and Wiley.

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Referred to: Judiciary II.

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April 21, 2005

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW A SWORN LAW ENFORCEMENT OFFICER WITH A  
2 STATE, COUNTY, OR MUNICIPAL LAW ENFORCEMENT AGENCY TO  
3 CARRY A CONCEALED WEAPON AT ALL TIMES.  
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5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 14-269(b) reads as rewritten:

7 "(b) This prohibition shall not apply to the following persons:

- 8 (1) Officers and enlisted personnel of the armed forces of the United  
9 States when in discharge of their official duties as such and acting  
10 under orders requiring them to carry arms and weapons;
- 11 (2) Civil and law enforcement officers of the United States ~~while in the~~  
12 ~~discharge of their official duties;~~ States;
- 13 (3) Officers and soldiers of the militia and the national guard when called  
14 into actual service;
- 15 (4) Officers of the State, or of any county, city, or town, charged with the  
16 execution of the laws of the State, when acting in the discharge of their  
17 official duties;
- 18 (5) Sworn law-enforcement officers, when off duty, ~~if~~ if the agency has  
19 written regulations authorizing the carrying of concealed weapons off  
20 duty and those regulations prohibit being impaired by alcoholic  
21 beverages or controlled substances while carrying a concealed weapon.
  - 22 a. ~~Written regulations authorizing the carrying of concealed~~  
23 ~~weapons have been filed with the clerk of superior court in the~~  
24 ~~county where the law enforcement unit is located by the sheriff~~  
25 ~~or chief of police or other superior officer in charge; and~~

1                   b.     ~~Such regulations specifically prohibit the carrying of concealed~~  
2                         ~~weapons while the officer is consuming or under the influence~~  
3                         ~~of alcoholic beverages."~~

4                   **SECTION 2.** This act is effective when it becomes law.