

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE BILL 1132  
Senate Judiciary II Committee Substitute Adopted 6/8/09

Short Title: Renew Concealed Carry Permit/30 Day Limit.

(Public)

Sponsors:

Referred to:

April 7, 2009

A BILL TO BE ENTITLED

1 AN ACT TO CLARIFY THAT A PERSON MUST APPLY TO RENEW A CONCEALED  
2 HANDGUN PERMIT WITHIN THE THIRTY-DAY PERIOD PRIOR TO THE  
3 EXPIRATION DATE OF THE PERMIT, TO PROVIDE THAT IF A RENEWAL  
4 APPLICANT REMAINS ELIGIBLE FOR A CONCEALED HANDGUN PERMIT, THE  
5 SHERIFF MUST RENEW THE PERMIT WITHIN THIRTY DAYS OF RECEIPT OF  
6 THE COMPLETED RENEWAL APPLICATION, TO PROVIDE THAT THE PERMIT  
7 OF A PERSON WHO COMPLIES WITH THE RENEWAL REQUIREMENTS  
8 REMAINS VALID BEYOND THE EXPIRATION DATE OF THE PERMIT UNTIL THE  
9 PERSON IS EITHER GRANTED OR DENIED A RENEWAL PERMIT BY THE  
10 SHERIFF, AND TO PROVIDE THAT A FORMER SWORN LAW ENFORCEMENT  
11 OFFICER WHO HAS FIFTEEN OR MORE AGGREGATE YEARS OF PART-TIME OR  
12 AUXILIARY LAW ENFORCEMENT SERVICE MAY BE EXEMPT FROM THE  
13 FIREARMS SAFETY AND TRAINING COURSE REQUIREMENT FOR A  
14 CONCEALED HANDGUN PERMIT IF HE OR SHE WAS A QUALIFIED SWORN  
15 LAW ENFORCEMENT OFFICER IMMEDIATELY BEFORE RETIRING AND HAS  
16 BEEN RETIRED AS A SWORN LAW ENFORCEMENT OFFICER TWO YEARS OR  
17 LESS FROM THE DATE OF THE PERMIT APPLICATION.  
18

19 The General Assembly of North Carolina enacts:

20 **SECTION 1.** G.S. 14-415.16 reads as rewritten:

21 **"§ 14-415.16. Renewal of permit.**

22 (a) The holder of a permit shall apply to renew the permit ~~at least 30 days within the~~  
23 30-day period prior to its expiration date by filing with the sheriff of the county in which the  
24 person resides a renewal form provided by the sheriff's office, a notarized affidavit stating that  
25 the permittee remains qualified under the criteria provided in this Article, a newly administered  
26 full set of the permittee's fingerprints, and a renewal fee.

27 (b) Upon receipt of the completed renewal application, including the permittee's  
28 fingerprints, and the appropriate payment of fees, the sheriff shall determine if the permittee  
29 remains qualified to hold a permit in accordance with the provisions of G.S. 14-415.12. The  
30 permittee's criminal history shall be updated, and the sheriff may waive the requirement of  
31 taking another firearms safety and training course. If the permittee applies for a renewal of the  
32 permit within 30 days of its expiration date and if the permittee remains qualified to have a  
33 permit under G.S. 14-415.12, the sheriff shall renew the ~~permit~~ permit within 30 days after  
34 receipt of the completed renewal application. If the 30<sup>th</sup> day is a Saturday, Sunday, or State or  
35 federal holiday, then the period extends to the next business day. The permit of a permittee who  
36 complies with this section shall remain valid beyond the expiration date of the permit until the  
37 permittee either receives a renewal permit or is denied a renewal permit by the sheriff.



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1 (c) No fingerprints shall be required for a renewal permit if the applicant's fingerprints  
2 were submitted to the State Bureau of Investigation after June 30, 2001, on the Automated  
3 Fingerprint Information System (AFIS) as prescribed by the State Bureau of Investigation."

4 **SECTION 2.** G.S. 14-415.10(4) reads as rewritten:

5 "(4) Qualified former sworn law enforcement officer. – An individual who  
6 retired from service as a law enforcement officer with a local, State, campus  
7 police, or company police agency in North Carolina, other than for reasons  
8 of mental disability, who has been retired as a sworn law enforcement  
9 officer two years or less from the date of the permit application, and who  
10 satisfies all of the following:

- 11 a. Immediately before retirement, the individual was a qualified law  
12 enforcement officer with a local, State, or company police agency in  
13 North Carolina.  
14 b. The individual has a nonforfeitable right to benefits under the  
15 retirement plan of the local, State, or company police agency as a law  
16 enforcement ~~officer-officer~~; or has 20 or more aggregate years of law  
17 enforcement service and has retired from a company police agency  
18 that does not have a retirement ~~plan-plan~~; or has 20 or more  
19 aggregate years of part-time or auxiliary law enforcement service.  
20 c. The individual is not prohibited by State or federal law from  
21 receiving a firearm."

22 **SECTION 3.** This act is effective when it becomes law and applies to permit  
23 applications and renewal applications submitted on or after that date.