

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE DRH40064-LH-72 (2/4)

Short Title: Amend Antique Firearm Definition.

(Public)

Sponsors: Representative Goforth.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REDEFINE THE TERM "ANTIQUÉ FIREARM" WITH REGARD TO THE  
3 LAW THAT REGULATES THE TRANSFER OF HANDGUNS AND WITH REGARD  
4 TO THE FELONY FIREARMS ACT.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 14-409.11 reads as rewritten:

7 **"§ 14-409.11. "Antique firearm" defined.**

8 (a) The term "antique firearm" means any of the following:

9 (1) Any firearm (including any firearm with a matchlock, flintlock, wheellock,  
10 snaphaunce, percussion cap, or similar type of ignition system)  
11 manufactured on or before 1898-1918.

12 (2) Any replica of any firearm described in subdivision (1) of this subsection if  
13 the replica is not designed or redesigned for using rimfire or conventional  
14 centerfire fixed ammunition.

15 (2a) Any replica of any firearm described in subdivision (1) of this subsection  
16 that uses rimfire or conventional center-fire fixed ammunition which is no  
17 longer manufactured in the United States and which is not readily available  
18 in the ordinary channels of commercial trade.

19 (3) Any muzzle loading rifle, muzzle loading shotgun, muzzle loading firearm,  
20 or muzzle loading pistol, which is designed to use black powder or a black  
21 powder substitute, and which cannot use fixed ammunition or  
22 be readily converted to fire fixed ammunition by replacing the barrel, bolt,  
23 breechblock, or any combination thereof.

24 (b) ~~For purposes of this section, the term "antique firearm" shall not include any~~  
25 ~~weapon which:~~

26 ~~(1) Incorporates a firearm frame or receiver.~~

27 ~~(2) Is converted into a muzzle loading weapon.~~

28 ~~(3) Is a muzzle loading weapon that can be readily converted to fire fixed~~  
29 ~~ammunition by replacing the barrel, bolt, breechblock, or any combination~~  
30 ~~thereof."~~

31 **SECTION 2.** This act becomes effective December 1, 2009. Prosecutions for  
32 offenses committed before the effective date of this act are not abated or affected by this act,  
33 and the statutes that would be applicable but for this act remain applicable to those  
34 prosecutions.

