

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 36
Jan 30, 2023
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40012-ML-35

Short Title: Firearms Training/Probation & Parole Officers. (Public)

Sponsors: Representative Lowery.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT A QUALIFIED PROBATION OR PAROLE CERTIFIED
3 OFFICER IS DEEMED TO HAVE SATISFIED THE APPROVED FIREARMS SAFETY
4 AND TRAINING COURSE REQUIREMENT FOR A CONCEALED HANDGUN
5 PERMIT.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 14-415.10 reads as rewritten:

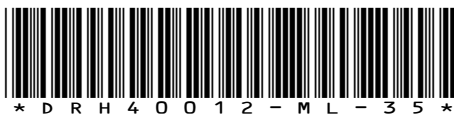
8 "**§ 14-415.10. Definitions.**

9 The following definitions apply to this Article:

- 10 ...
- 11 (4) Qualified former sworn law enforcement officer. – An individual who retired
12 from service as a law enforcement officer with a local, State, campus police,
13 or company police agency in North Carolina, other than for reasons of mental
14 disability, who has been retired as a sworn law enforcement officer two years
15 or less from the date of the permit application, and who satisfies all of the
16 following:
- 17 a. Immediately before retirement, the individual was a qualified law
18 enforcement officer with a local, State, or company police agency in
19 North Carolina.
- 20 b. The individual has a nonforfeitable right to benefits under the
21 retirement plan of the local, State, or company police agency as a law
22 enforcement officer; or has 20 or more aggregate years of law
23 enforcement service and has retired from a company police agency
24 that does not have a retirement plan; or has 20 or more aggregate years
25 of part-time or auxiliary law enforcement service.
- 26 c. The individual is not prohibited by State or federal law from receiving
27 a firearm.

28 (4a) Qualified probation or parole certified officer. – An individual employed as a
29 State probation or parole certified officer who meets all of the following
30 criteria:

- 31 a. The individual is authorized by the Division of Community
32 Supervision and Reentry of the Department of Adult Correction to
33 carry a handgun in the course of duty.
- 34 b. The individual is not the subject of a disciplinary action by the
35 Division of Community Supervision and Reentry of the Department
36 of Adult Correction that prevents the carrying of a handgun.



1 c. The individual meets any requirements established by the Division of
2 Community Supervision and Reentry of the Department of Adult
3 Correction regarding handguns.

4 ~~(4a)~~(4b) Qualified retired correctional officer. – An individual who retired from
5 service as a State correctional officer, other than for reasons of mental
6 disability, who has been retired as a correctional officer two years or less from
7 the date of the permit application and who meets all of the following criteria:

8 a. Immediately before retirement, the individual met firearms training
9 standards of the Division of Prisons of the Department of Adult
10 Correction and was authorized by the Division of Prisons of the
11 Department of Adult Correction to carry a handgun in the course of
12 assigned duties.

13 b. The individual retired in good standing and was never a subject of a
14 disciplinary action by the Division of Prisons of the Department of
15 Adult Correction that would have prevented the individual from
16 carrying a handgun.

17 c. The individual has a vested right to benefits under the Teachers' and
18 State Employees' Retirement System of North Carolina established
19 under Article 1 of Chapter 135 of the General Statutes.

20 d. The individual is not prohibited by State or federal law from receiving
21 a firearm.

22 ~~(4b)~~(4c) Qualified retired law enforcement officer. – An individual who meets the
23 definition of "qualified retired law enforcement officer" contained in section
24 926C of Title 18 of the United States Code.

25 ~~(4e)~~(4d) Qualified retired probation or parole certified officer. – An individual who
26 retired from service as a State probation or parole certified officer, other than
27 for reasons of mental disability, who has been retired as a probation or parole
28 certified officer two years or less from the date of the permit application and
29 who meets all of the following criteria:

30 a. Immediately before retirement, the individual met firearms training
31 standards of the Division of Community Supervision and Reentry of
32 the Department of Adult Correction and was authorized by the
33 Division of Community Supervision and Reentry of the Department
34 of Adult Correction to carry a handgun in the course of duty.

35 b. The individual retired in good standing and was never a subject of a
36 disciplinary action by the Division of Community Supervision and
37 Reentry of the Department of Adult Correction that would have
38 prevented the individual from carrying a handgun.

39 c. The individual has a vested right to benefits under the Teachers' and
40 State Employees' Retirement System of North Carolina established
41 under Article 1 of Chapter 135 of the General Statutes.

42 d. The individual is not prohibited by State or federal law from receiving
43 a firearm.

44"

45 **SECTION 2.** G.S. 14-415.12A(a) reads as rewritten:

46 "(a) A person who is a qualified sworn law enforcement officer, a qualified former sworn
47 law enforcement officer, a qualified retired correctional officer, a qualified probation or parole
48 certified officer, or a qualified retired probation or parole certified officer is deemed to have
49 satisfied the requirement under G.S. 14-415.12(a)(4) that an applicant successfully complete an
50 approved firearms safety and training course."

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