

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

FILED SENATE
Mar 29, 2017
S.B. 503
PRINCIPAL CLERK

S

D

SENATE BILL DRS35213-LH-85 (02/28)

Short Title: Online Paperless Pistol Permit Modernization. (Public)

Sponsors: Senators Tarte, Brock, and Britt (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ENACT THE ONLINE PAPERLESS PISTOL PERMIT MODERNIZATION
3 ACT.

4 Whereas, North Carolina is the only state using a paper permit to purchase a pistol;
5 and

6 Whereas, it is time for North Carolina to utilize available technology for a more
7 efficient pistol purchase process; and

8 Whereas, amending the law to enable every dealer in pistols to send an electronic
9 notification to the sheriff of the county of each background check conducted through the
10 National Instant Criminal Background Check System (NICS) as part of a transaction to
11 purchase a pistol would be beneficial to North Carolina; Now, therefore,
12 The General Assembly of North Carolina enacts:

13 **SECTION 1.** G.S. 14-402, 14-403, and 14-404 are repealed.

14 **SECTION 2.** G.S. 14-406 reads as rewritten:

15 **"§ 14-406. Dealer to keep record of sales; confidentiality of records.**

16 (a) Every dealer in pistols and other weapons mentioned in this Article shall keep an
17 accurate record of all sales thereof, including the name, place of residence, date of sale, etc., of
18 each person, firm, or corporation to whom or which such sales are made. The records
19 maintained by a dealer pursuant to this section are confidential and are not a public record
20 under G.S. 132-1; provided, however, that the dealer shall make the records available upon
21 request to all State and local law enforcement agencies.

22 (b) Repealed by Session Laws 2011-56, s. 3, effective April 28, 2011.

23 (c) Every dealer in pistols and other weapons mentioned in this Article shall send an
24 electronic notification to the sheriff of the county of each background check conducted through
25 the National Instant Criminal Background Check System (NICS) as part of a transaction to
26 purchase a pistol within 10 business days of the date of the transaction."

27 **SECTION 3.** G.S. 14-405 reads as rewritten:

28 **"§ 14-405. Record of permits kept by sheriff; confidentiality of permit information.**

29 (a) ~~The sheriff shall keep a record of all permits issued under this article, including the~~
30 ~~name, date, place of residence, age, former place of residence, etc., of each such person, firm,~~
31 ~~or corporation to whom or which a permit is issued. electronic notifications received pursuant~~
32 ~~to G.S. 14-406. The record shall include the date that a permit was revoked, the date that the~~
33 ~~permittee received notice of the revocation, whether the permit was surrendered, and the reason~~
34 ~~for the revocation.~~

35 (b) The records maintained by the sheriff pursuant to this section are confidential and
36 are not a public record under G.S. 132-1; provided, however, that the sheriff shall make the



1 records available upon request to any federal, State, and local law enforcement agencies and
2 shall also make the records available to the court if the records are required to be released
3 pursuant to a court order. Any application to a court for release of the ~~list of permit holders and~~
4 ~~permit application information records~~ shall be by a petition to the chief judge of the district
5 court for the district in which the person seeking the information resides."

6 **SECTION 4.** G.S. 14-407.1 reads as rewritten:

7 "**§ 14-407.1. Sale of blank cartridge pistols.**

8 The provisions of ~~G.S. 14-402, 14-405, G.S. 14-405 and 14-406~~G.S. 14-406 shall apply to
9 the sale of pistols suitable for firing blank cartridges. ~~The sheriffs of all the counties of this~~
10 ~~State are authorized and may in their discretion issue to any person, firm or corporation, in any~~
11 ~~such county, a license or permit to purchase or receive any pistol suitable for firing blank~~
12 ~~cartridges from any person, firm or corporation offering to sell or dispose of the same, which~~
13 ~~said permit shall be in substantially the following form:~~

14 North Carolina

15 _____ County

16 I, _____, Clerk of the Superior Court of said county, do hereby certify that
17 _____, whose place of residence is _____ Street in _____ (or)
18 in _____ Township in _____ County, North Carolina, having this day
19 satisfied me that the possession of a pistol suitable for firing blank cartridges will be used only
20 for lawful purposes, a permit is therefore given said _____ to purchase said pistol
21 from any person, firm or corporation authorized to dispose of the same, this _____ day of
22 _____, _____.

23
24 Sheriff

25 The sheriff shall charge for the sheriff's services, upon issuing such permit, a fee of fifty
26 cents (50¢)."

27 **SECTION 5.** This act becomes effective December 1, 2017, and applies to sales of
28 pistols on and after that date and to offenses committed on or after that date.