

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 823  
Committee Substitute Favorable 5/7/93

Short Title: Wake Gun Safety.

(Local)

Sponsors:

Referred to:

April 8, 1993

A BILL TO BE ENTITLED

AN ACT REGULATING THE POSSESSION OF FIREARMS IN WAKE COUNTY WHILE UNDER THE INFLUENCE AND AUTHORIZING THE CITY OF RALEIGH TO ENACT AN ORDINANCE TO REGULATE OR PROHIBIT THE POSSESSION OF FIREARMS BY MINORS.

The General Assembly of North Carolina enacts:

Section 1. (a) It shall be unlawful while on any property in Wake County, other than one's own personal residence, knowingly to have in one's possession or immediately accessible to one's person a loaded firearm when such person is under the influence of an impairing substance as defined by G.S. 20-4.01(14a).

(b) The fact that a person charged with violating this section is or has been legally entitled to use alcohol or a drug is not a defense to a charge under this section.

(c) Violation of this section is a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500.00) or imprisonment not more than 60 days or both.

Sec. 2. (a) The City of Raleigh may enact ordinances to regulate or prohibit the knowing possession of firearms by persons under the age of 18 years of age within the City limits. Any such ordinance promulgated may take the form of a complete ban or may be conditioned as to time and place.

(b) Any ordinance enacted under this section shall not affect:

(1) Law enforcement personnel or military personnel carrying firearms as a part of their assigned duties;

(2) Possession of firearms by a person under the age of 18, if that person is:

- 1                   a.     Using it at a supervised, properly permitted and licensed firing  
2                   range;  
3                   b.     Participating in a properly permitted parade, a military  
4                   reenactment, or any other special event approved by the City  
5                   Council; or  
6                   c.     In possession of it solely for educational or school sanctioned  
7                   ceremonial purposes, or using it in a school approved program  
8                   conducted under adult supervision.  
9                   Sec. 3. Section 1 of this act shall apply to Wake County only.  
10                  Sec. 4. Section 2 of this act shall apply to the City of Raleigh only.  
11                  Sec. 5. This act becomes effective October 1, 1993.