

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 984

Short Title: Ban Assault Weapons.

(Public)

Sponsors: Representatives Michaux; and Luebke.

Referred to: Judiciary I.

April 19, 1993

A BILL TO BE ENTITLED

AN ACT TO BAN ASSAULT WEAPONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 14-409 reads as rewritten:

"§ 14-409. Machine guns and other like weapons.

(a) As used in this section, ~~'machine section:~~

(1) 'Machine gun' or 'submachine gun' means any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any combination of parts designed and intended for use in converting a weapon into a machine gun, and any combination of parts from which a machine gun can be assembled if such parts are in the possession or under the control of a ~~person~~ person; and

(2) 'Restricted weapon' means:

a. Any semiautomatic rifle designated by the Attorney General of North Carolina which is:

1. Manufactured in the United States; and

2. Not generally recognized as particularly suitable for, or readily adaptable to, sporting purposes;

b. Any firearm manufactured outside the United States, the importation of which is prohibited under federal law; and

c. Any of the following firearms:

1. Algimec AGM1 type;

1 other like weapons as defined by subsection (a) of this section: Provided, however, that
2 this subsection shall not apply to the following:

3 Banks, merchants, and recognized business establishments for use in their respective
4 places of business, who shall first apply to and receive from the sheriff of the county in
5 which said business is located, a permit to possess the said weapons for the purpose of
6 defending the said business; officers and soldiers of the United States Army, when in
7 discharge of their official duties, officers and soldiers of the militia and the State guard
8 when called into actual service, officers of the State, or of any county, city or town,
9 charged with the execution of the laws of the State, when acting in the discharge of their
10 official duties; the manufacture, use or possession of such weapons for scientific or
11 experimental purposes when such manufacture, use or possession is lawful under
12 federal laws and the weapon is registered with a federal agency, and when a permit to
13 manufacture, use or possess the weapon is issued by the sheriff of the county in which
14 the weapon is located. Provided, further, that any bona fide resident of this State who
15 now owns a machine gun or restricted weapon used in former wars, as a relic or
16 souvenir, may retain and keep same as his or her property without violating the
17 provisions of this section upon his reporting and registering said ownership to the
18 sheriff of the county in which said person lives.

19 (c) Any person violating any of the provisions of this section shall be guilty of a
20 ~~misdemeanor and shall be fined not less than five hundred dollars (\$500.00), or~~
21 ~~imprisoned for not less than six months, or both, in the discretion of the court.~~ a Class I
22 felony."

23 Sec. 2. This act becomes effective December 1, 1993, except the Attorney
24 General may adopt rules under this act at any time after ratification, such rules to
25 become effective December 1, 1993.