

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: HB 503

SHORT TITLE: Off-Duty Officer/Concealed Weapon

SPONSOR(S): Representative Robert J. Hensley, Jr.

FISCAL IMPACT:    Expenditures:    Increase ( )        Decrease ( )  
                          Revenues:            Increase ( )        Decrease ( )  
                          No Impact (x)  
                          No Estimate Available ( )

FUND AFFECTED:    General Fund ( )    Highway Fund ( )    Local Fund ( )  
                          Other Fund ( )

**BILL SUMMARY:** The bill amends G.S. 14-269(b)(5) to allow off-duty law enforcement officers employed in North Carolina and who are not in violation of the authorizing legislation fixed with the Clerk of Superior Court to carry concealed weapons in accordance with regulations anywhere within the State. Also allows retired NC law enforcement officers to carry concealed weapon, for two years from date of retirement, under the same conditions as active officers and additional requirement that officer pass annual firearm qualification, including classroom and range instruction, and study of recent legal decisions in use of firearms and deadly force.

**EFFECTIVE DATE:** Upon ratification

**PRINCIPAL DEPARTMENT(S)/PROGRAM(S) AFFECTED:**

FISCAL IMPACT

	<u>FY</u> 93-94	<u>FY</u> 94-95	<u>FY</u>	<u>FY</u>	<u>FY</u>
<b>EXPENDITURES</b>					
<b>TOTAL EXPENDITURES</b>	-0-	-0-			
<b>STATE FUNDS</b>	-0-	-0-			
<b>FEDERAL FUNDS</b>					
<b>LOCAL FUNDS</b>	-0-	-0-			
<b>OTHER FUNDS</b>					
<b>RECEIPTS/FEES</b>					
<b>POSITIONS:</b>	-0-	-0-			

**ASSUMPTIONS AND METHODOLOGY:** Active personnel - the law currently permits off-duty officers to carry concealed weapons within the jurisdiction of employment. To extend this practice statewide does not appear to have fiscal implications. Retired officers - there are two approaches to individuals in this category. First, retired officers

who serve in a reserve or auxiliary capacity with a law enforcement agency must maintain the same certification requirements as active law enforcement personnel, and have access to range and classroom facilities. Therefore, they retain the sworn law enforcement officer status. There is no added cost to the General Fund. The second approach refers to retired law enforcement officers who are not in a reserve or auxiliary capacity. These individuals do not maintain firearms qualification or update training related to procedures or policy. Individuals in this category are no different than other civilians, and must comply with the laws governing possession of weapons for all citizens.

**SOURCES OF DATA:** Department of Justice

**TECHNICAL CONSIDERATIONS:**

**FISCAL RESEARCH DIVISION**

733-4910

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**APPROVED BY:** Tom Covington **TOMC**

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