

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

**HOUSE BILL 1401  
RATIFIED BILL**

**AN ACT TO AMEND THE CIRCUMSTANCES UNDER WHICH FEDERAL LAW  
ENFORCEMENT OFFICERS AND SWORN LAW ENFORCEMENT OFFICERS  
MAY CARRY CONCEALED WEAPONS.**

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 14-269(b) reads as rewritten:

"(b) This prohibition shall not apply to the following persons:

- (1) Officers and enlisted personnel of the armed forces of the United States when in discharge of their official duties as such and acting under orders requiring them to carry arms and weapons;
- (2) Civil and law enforcement officers of the United States ~~while in the discharge of their official duties;~~ States;
- (3) Officers and soldiers of the militia and the national guard when called into actual service;
- (4) Officers of the State, or of any county, city, or town, charged with the execution of the laws of the State, when acting in the discharge of their official duties;
- (5) Sworn law-enforcement officers, when off-duty, if provided that an officer does not carry a concealed weapon while consuming alcohol or an unlawful controlled substance or while alcohol or an unlawful controlled substance remains in the officer's body.
  - a. ~~Written regulations authorizing the carrying of concealed weapons have been filed with the clerk of superior court in the county where the law enforcement unit is located by the sheriff or chief of police or other superior officer in charge; and~~
  - b. ~~Such regulations specifically prohibit the carrying of concealed weapons while the officer is consuming or under the influence of alcoholic beverages."~~

**SECTION 2.** This act is effective when it becomes law.  
In the General Assembly read three times and ratified this the 16<sup>th</sup> day of August, 2005.

---

Marc Basnight  
President Pro Tempore of the Senate

---

James B. Black  
Speaker of the House of Representatives

---

Michael F. Easley  
Governor

Approved \_\_\_\_\_m. this \_\_\_\_\_ day of \_\_\_\_\_, 2005