

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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SENATE BILL 28

Short Title: Gun Permit Information/No Publication. (Public)

Sponsors: Senators Bingham (Primary Sponsor); Apodaca, Barefoot, Brock, Cook, Daniel, J. Davis, Harrington, Hise, Jackson, Jenkins, Newton, Rabin, Randleman, Sanderson, and Wade.

Referred to: Judiciary II.

February 4, 2013

A BILL TO BE ENTITLED

AN ACT TO PROVIDE FOR THE CONFIDENTIALITY OF INFORMATION REGARDING CONCEALED HANDGUN PERMITS AND PISTOL PURCHASE PERMITS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 14-415.17 reads as rewritten:

"§ 14-415.17. **Permit; sheriff to retain and make available to law enforcement agencies a list of permittees; confidentiality of list and permit application information; availability to law enforcement agencies.**

(a) The permit shall be in a certificate form, as prescribed by the Administrative Office of the Courts, that is approximately the size of a North Carolina drivers license. It shall bear the signature, name, address, date of birth, and the drivers license identification number used in applying for the permit.

(b) The sheriff shall maintain a listing, including the identifying information, of those persons who are issued a permit. ~~The permit information shall be available upon request to all State and local law enforcement agencies.~~ Within five days of the date a permit is issued, the sheriff shall send a copy of the permit to the State Bureau of Investigation. ~~The State Bureau of Investigation shall make this information available to law enforcement officers and clerks of court on a statewide system.~~

(c) Except as provided otherwise by this subsection, the list of permit holders and the information collected by the sheriff to process an application for a permit are confidential and are not a public record under G.S. 132-1. The sheriff shall make the list of permit holders and the permit information available upon request to all State and local law enforcement agencies. The State Bureau of Investigation shall make the list of permit holders and the information collected by the sheriff to process an application for a permit available to law enforcement officers on a statewide system. The sheriff and the State Bureau of Investigation shall also make the list of permit holders and information collected to process the permits available to the court or other appropriate party if the list and information are required to be released pursuant to a subpoena or court order.

**SECTION 2.** G.S. 14-405 reads as rewritten:

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

(a) The sheriff shall keep a book, to be provided by the board of commissioners of each county, in which he shall keep a record of all licenses or permits issued under this article,



1 including the name, date, place of residence, age, former place of residence, etc., of each such  
2 person, firm, or corporation to whom or which a license or permit is issued.

3 (b) The records maintained by the sheriff pursuant to this section are confidential and  
4 are not a public record under G.S. 132-1; provided, however, that the sheriff shall make the  
5 records available upon request to all State and local law enforcement agencies and shall also  
6 make the records available to the court or other appropriate party if the records are required to  
7 be released pursuant to a subpoena or court order."

8 **SECTION 3.** G.S. 14-406 reads as rewritten:

9 "**§ 14-406. Dealer to keep record of sales, sales; confidentiality of records.**

10 (a) Every dealer in pistols and other weapons mentioned in this Article shall keep an  
11 accurate record of all sales thereof, including the name, place of residence, date of sale, etc., of  
12 each person, firm, or corporation to whom or which such sales are made, ~~which record shall be~~  
13 ~~open to the inspection of any duly constituted State, county or police officer, within this~~  
14 ~~State.~~ made. The records maintained by a dealer pursuant to this section are confidential and are  
15 not a public record under G.S. 132-1; provided, however, that the dealer shall make the records  
16 available upon request to all State and local law enforcement agencies and shall also make the  
17 records available to the court or other appropriate party if the records are required to be  
18 released pursuant to a subpoena or court order.

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

20 **SECTION 4.** This act becomes effective December 1, 2013.