

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 691

Short Title: New Resident/Temporary Concealed Carry Permit. (Public)

Sponsors: Representatives Cleveland and Adams (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary 2, if favorable, Rules, Calendar, and Operations of the House

April 19, 2023

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE ISSUANCE OF A TEMPORARY CONCEALED
HANDGUN PERMIT TO NEW RESIDENTS OF NORTH CAROLINA WHO MEET
CERTAIN REQUIREMENTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-415.15 reads as rewritten:

"§ 14-415.15. Issuance or denial of ~~permit~~; ~~permit~~; temporary permit.

(a) Process for Issuance or Denial. – Except as permitted under subsection (b) or (c) of this section, within 45 days after receipt of the items listed in G.S. 14-415.13 from an applicant, and receipt of the required records concerning the mental health or capacity of the applicant, the sheriff shall either issue or deny the permit. The sheriff may conduct any investigation necessary to determine the qualification or competency of the person applying for the permit, including record checks. The sheriff shall make the request for any records concerning the mental health or capacity of the applicant within 10 days of receipt of the items listed in G.S. 14-415.13. No person, company, mental health provider, or governmental entity may charge additional fees to the applicant for background checks conducted under this subsection. A permit shall not be denied unless the applicant is determined to be ineligible pursuant to G.S. 14-415.12.

(b) Temporary Emergency Permit. – Upon presentment to the sheriff of the items required under G.S. 14-415.13 (a)(1), (2), and (3), the sheriff may issue a temporary permit for a period not to exceed 45 days to a person who the sheriff reasonably believes is in an emergency situation that may constitute a risk of safety to the person, the person's family or property. The applicant may submit proof of a protective order issued under G.S. 50B-3 for the protection of the applicant as evidence of an emergency situation. The temporary permit may not be renewed and may be revoked by the sheriff without a hearing.

(b1) Temporary New Resident Permit. – If a person possesses a current, unexpired out-of-state concealed handgun permit and within 120 days of establishing residency in this State (i) the out-of-state permit will expire and (ii) the person has applied for a North Carolina concealed handgun permit in accordance with Article 54B of this Chapter, the sheriff may issue a temporary new resident permit which shall be valid until the sheriff either grants or denies the application for a North Carolina concealed handgun permit. The temporary permit may not be renewed and may be revoked by the sheriff without a hearing.

(c) Criteria for Denial and Appeal. – A person's application for a permit shall be denied only if the applicant fails to qualify under the criteria listed in this Article. If the sheriff denies the application for a permit, the sheriff shall, within 45 days, notify the applicant in writing, stating the grounds for denial. An applicant may appeal the denial, revocation, or nonrenewal of



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1 a permit by petitioning a district court judge of the district in which the application was filed.
2 The determination by the court, on appeal, shall be upon the facts, the law, and the reasonableness
3 of the sheriff's refusal. The determination by the court shall be final."

4 **SECTION 2.** This act becomes effective October 1, 2023.