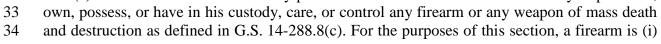
GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2025

Η

HOUSE BILL 28

	Short Title:	Gun Violence Prevention Act.	(Public)	
	Sponsors:	Representatives Balkcom, Carson Smith, Miller, and Pyrtle (Primary Sponsors). For a complete list of sponsors, refer to the North Carolina General Assembly web site.		
	Referred to:	Referred to: Homeland Security and Military and Veterans Affairs, if favorable, Judiciary favorable, Rules, Calendar, and Operations of the House		
		February 3, 2025		
1 2 3		A BILL TO BE ENTITLED CREATE THE OFFENSE OF POSSESSING A FIREARM OR WEA EATH AND DESTRUCTION BY A FELON DURING THE COMMISS		
4		TED COMMISSION OF A FELONY.		
5		Assembly of North Carolina enacts:		
6		ECTION 1. Article 54A of Chapter 14 of the General Statutes is amo	ended by	
7	adding a new section to read:		1	
8	" <u>§ 14-415.1A. Possession of certain weapons by felon during the commission or attempted</u>		ttempted	
9 10		ommission of a felony.		
10 11		efinitions. – The following definitions apply in this section:	looth and	
11	<u>(1</u>	· · · ·		
12		destruction or otherwise make the presence of the firearm or weapor	<u>1 01 111ass</u>	
13 14	()	 <u>death and destruction known to another person.</u> Firearm. – As defined in G.S. 14-409.39. 		
14	<u>(2</u> (3		0	
16		ffense. – It is unlawful for any person who is prohibited pursuant to G.S.		
17		ing a firearm or a weapon of mass death and destruction to possess a fi		
18		hass death and destruction during the commission or attempted commission		
19		(i) this Chapter or (ii) Article 5 of Chapter 90 of the General Statutes.	<u>51011 01 u</u>	
20		enalty. – Unless the conduct is covered under some other provision of law p	providing	
21		hment, a person who violates subsection (b) of this section is guilty of the fo	-	
22	(1			
23	<u></u>	and destruction during the commission or attempted commission of the		
24	<u>(2</u>			
25		death and destruction during the commission or attempted commissi		
26		felony.		
27	(3	A Class F felony for any other violation of subsection (b) of this sec	tion.	
28	<u>(d)</u> <u>Se</u>	eparate Offense A violation of subsection (b) of this section is a separat	e offense	
29	from the unc	lerlying felony offense, and G.S. 14-415.1, and shall not merge with a	any other	
30	offense."			
31	SI	ECTION 2. G.S. 14-415.1(a) reads as rewritten:		
32	• •	shall be unlawful for any person who has been convicted of a felony to p	-	
33		, or have in his custody, care, or control any firearm or any weapon of ma		
21	and dostruction	on as defined in $G \in 14.288 S(a)$. For the nurnesses of this section, a first	arm is (i)	





1

General Assembly Of North Carolina

1 any weapon, including a starter gun, which will or is designed to or may readily be converted to

2 expel a projectile by the action of an explosive, or its frame or receiver, or (ii) any firearm muffler

3 or firearm silencer. This section does not apply to an antique firearm, as defined in

- 4 G.S. 14-409.11.
- Every person violating the provisions of this section shall be punished as a Class <u>G-F</u> felon.
 <u>Violation of this section is not a lesser included offense of G.S. 14-415.1A.</u>"
- 7 SECTION 3. This act becomes effective December 1, 2025, and applies to offenses
 8 committed on or after that date.