

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

S

1

SENATE BILL 358

Short Title: Repeal Crossbow Purchase Permit Requirement. (Public)

Sponsors: Senators Jenkins; and East.

Referred to: Judiciary II.

March 17, 2011

A BILL TO BE ENTITLED

AN ACT TO REPEAL THE REQUIREMENT THAT A PERSON OBTAIN A PERMIT TO RECEIVE, SELL, PURCHASE, OR OTHERWISE TRANSFER A CROSSBOW.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-402 reads as rewritten:

"§ 14-402. Sale of certain weapons without permit forbidden.

(a) It is unlawful for any person, firm, or corporation in this State to sell, give away, or transfer, or to purchase or receive, at any place within this State from any other place within or without the State any pistol ~~or crossbow~~ unless: (i) a license or permit is first obtained under this Article by the purchaser or receiver from the sheriff of the county in which the purchaser or receiver resides; or (ii) a valid North Carolina concealed handgun permit is held under Article 54B of this Chapter by the purchaser or receiver who must be a resident of the State at the time of the purchase.

It is unlawful for any person or persons to receive from any postmaster, postal clerk, employee in the parcel post department, rural mail carrier, express agent or employee, railroad agent or employee within the State of North Carolina any pistol ~~or crossbow~~ without having in his or their possession and without exhibiting at the time of the delivery of the same and to the person delivering the same the permit from the sheriff as provided in G.S. 14-403. Any person violating the provisions of this section is guilty of a Class 2 misdemeanor.

(b) This section does not apply to an antique firearm or an historic edged weapon.

(c) The following definitions apply in this Article:

(1) Antique firearm. – Defined in G.S. 14-409.11.

(2) Bolt. ~~A projectile made to be discharged from a crossbow. The bolt differs from an arrow in that the bolt is heavier and shorter than an arrow.~~

(3) Crossbow. ~~A mechanical device consisting of, but not limited to, strings, cables, and prods transversely mounted on either a shoulder or hand held stock. This device is mechanically held at full or partial draw and released by a trigger or similar mechanism that is incorporated into a stock or handle. When operated, the crossbow discharges a projectile known as a bolt.~~

(4) Historic edged weapon. – Defined in G.S. 14-409.12.

(5) ~~Manufacturer of crossbows. – A corporation that manufactures or produces crossbows.~~

(6) ~~Retail dealer of crossbows. – A corporation that sells crossbows to the ultimate consumer of the product.~~

(7) ~~Wholesale dealer of crossbows. – A corporation that acquires crossbows for sale to another wholesale dealer of crossbows or to a retail dealer of crossbows. "~~



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15

SECTION 2. G.S. 14-404(c)(1) reads as rewritten:

"(c) A permit may not be issued to the following persons:

(1) One who is under an indictment or information for or has been convicted in any state, or in any court of the United States, of a felony (other than an offense pertaining to antitrust violations, unfair trade practices, or restraints of trade). However, a person who has been convicted of a felony in a court of any state or in a court of the United States and (i) who is later pardoned, or (ii) whose firearms rights have been restored pursuant to G.S. 14-415.4, may obtain a permit, if the purchase or receipt of a pistol ~~or crossbow~~ permitted in this Article does not violate a condition of the pardon or restoration of firearms rights.

....."

SECTION 3. G.S. 14-406(b) is repealed.

SECTION 4. G.S. 14-406.1 is repealed.

SECTION 5. This act is effective when it becomes law.