

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.B. 842
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30367-MLf-113

Short Title: Register Assault Weapon & Report Lost Firearm. (Public)

Sponsors: Representatives Martin, Morey, and Clark (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE REGISTRATION OF ASSAULT WEAPONS AND TO
3 REQUIRE THE REPORTING OF LOST OR STOLEN FIREARMS.
4 The General Assembly of North Carolina enacts:

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6 **PART I. REGISTRATION OF ASSAULT WEAPONS**

7 **SECTION 1.(a)** Article 53B of Chapter 14 of the General Statutes is amended by
8 adding two new sections to read:

9 **"§ 14-409.41. Registration of firearms.**

10 (a) Definition. – For purposes of this section, the term "assault weapon" includes all of
11 the following:

12 (1) Any selective-fire firearm capable of semiautomatic or burst fire at the option
13 of the user. The term also includes all of the following semiautomatic
14 firearms:

- 15 a. Algimec Agmi.
- 16 b. Armalite AR-180.
- 17 c. Australian Automatic Arms SAP Pistol.
- 18 d. Auto-Ordnance Thompson type.
- 19 e. Avtomat Kalashnikov AK-47 type.
- 20 f. Barrett Light-Fifty model 82A1.
- 21 g. Beretta AR-70.
- 22 h. Bushmaster Auto Rifle and Auto Pistol.
- 23 i. Calico models M-900, M-950, and 100-P.
- 24 j. Chartered Industries of Singapore SR-88.
- 25 k. Colt AR-15 and Sporter.
- 26 l. Daewoo K-1, K-2, Max-1, and Max-2.
- 27 m. Encom MK-IV, MP-9, and MP-45.
- 28 n. Fabrique Nationale FN/FAL, FN/LAR, and FN/FNC.
- 29 o. FAMAS MAS 223.
- 30 p. Feather AT-9 and Mini-AT.
- 31 q. Federal XC-900 and XC-450.
- 32 r. Franchi SPAS-12 and LAW-12.
- 33 s. Galil AR and ARM.
- 34 t. Goncz High-Tech Carbine and High-Tech Long Pistol.
- 35 u. Heckler & Koch HK-91, HK-93, HK-94, and SP-89.
- 36 v. Holmes MP-83.



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- 1 w. MAC-10, MAC-11, and MAC-11 Carbine type.
- 2 x. Intratec TEC-9 and Scorpion.
- 3 y. Iver Johnson Enforcer model 3000.
- 4 z. Ruger Mini-14/5F folding stock model.
- 5 aa. Scarab Skorpion.
- 6 bb. SIG 57 AMT and 500 series.
- 7 cc. Spectre Auto Carbine and Auto Pistol.
- 8 dd. Springfield Armory BM59, SAR-48, and G-3.
- 9 ee. Sterling MK-6 and MK-7.
- 10 ff. Steyr AUG.
- 11 gg. Street Sweeper and Striker 12 revolving cylinder shotguns.
- 12 hh. USAS-12.
- 13 ii. UZI Carbine, Mini-Carbine, and Pistol.
- 14 jj. Weaver Arms Nighthawk.
- 15 kk. Wilkinson "Linda" Pistol.
- 16 (2) All of the following semiautomatic centerfire rifles, or copies or duplicates
17 with the capability of the rifles:
- 18 a. AK-47.
- 19 b. AK-74.
- 20 c. AKM.
- 21 d. AKS-74U.
- 22 e. ARM.
- 23 f. MAADI AK47.
- 24 g. MAK90.
- 25 h. MISR.
- 26 i. NHM90 and NHM91.
- 27 j. Norinco 56, 56S, 84S, and 86S.
- 28 k. Poly Technologies AKS and AK47.
- 29 l. SA 85.
- 30 m. SA 93.
- 31 n. VEPR.
- 32 o. WASR-10.
- 33 p. WUM.
- 34 q. Rock River Arms LAR-47.
- 35 r. Vector Arms AK-47.
- 36 s. AR-10.
- 37 t. AR-15.
- 38 u. Bushmaster Carbon 15, Bushmaster XM15, Bushmaster ACR Rifles,
39 and Bushmaster MOE Rifles.
- 40 v. Colt Match Target Rifles.
- 41 w. Armalite M15.
- 42 x. Olympic Arms AR-15, A1, CAR, PCR, K3B, K30R, K16, K48, K8,
43 and K9 Rifles.
- 44 y. DPMS Tactical Rifles.
- 45 z. Smith and Wesson M&P15 Rifles.
- 46 aa. Rock River Arms LAR-15.
- 47 bb. Doublestar AR Rifles.
- 48 cc. Barrett REC7.
- 49 dd. Beretta Storm.
- 50 ee. Calico Liberty 50, 50 Tactical, 100, 100 Tactical, I, I Tactical, II, and
51 II Tactical Rifles.

- 1 ff. Hi-Point Carbine Rifles.
2 gg. HK-PSG-1.
3 hh. Kel-Tec Sub-2000, SU Rifles, and RFB.
4 ii. Remington Tactical Rifle Model 7615.
5 jj. SAR-8, SAR-4800, and SR9.
6 kk. SLG 95.
7 ll. SLR 95 and 96.
8 mm. TNW M230 and M2HB.
9 nn. Vector Arms UZI.
10 oo. Galil and Galil Sporter.
11 pp. Daewoo AR 100 and AR 110C.
12 qq. Fabrique Nationale/FN 308 Match and L1A1 Sporter.
13 rr. HK USC.
14 ss. IZHMAASH Saiga AK.
15 tt. SIG Sauer 551-A1, 556, 516, 716, and M400 Rifles.
16 uu. Valmet M62S, M71S, and M78S.
17 vv. Wilkinson Arms Linda Carbine.
18 ww. Barrett M107A1.
19 (3) All of the following semiautomatic centerfire pistols, or copies or duplicates
20 with the capability of the pistols:
21 a. Centurion 39 AK.
22 b. Draco AK-47.
23 c. HCR AK-47.
24 d. IO Inc. Hellpup AK-47.
25 e. Mini-Draco AK-47.
26 f. Yugo Krebs Krink.
27 g. American Spirit AR-15.
28 h. Bushmaster Carbon 15.
29 i. Doublestar Corporation AR.
30 j. DPMS AR-15.
31 k. Olympic Arms AR-15.
32 l. Rock River Arms LAR 15.
33 m. Calico Liberty III and III Tactical Pistols.
34 n. Masterpiece Arms MPA Pistols and Velocity Arms VMA Pistols.
35 o. Intratec TEC-DC9 and AB-10.
36 p. Colefire Magnum.
37 q. German Sport 522 PK and Chiappa Firearms Mfour-22.
38 r. DSA SA58 PKP FAL.
39 s. I.O. Inc. PPS-43C.
40 t. Kel-Tec PLR 16 Pistol.
41 u. Sig Sauer P516 and P556 Pistols.
42 v. Thompson TA5 Pistols.
43 (4) All IZHMAASH Saiga 12 Shotguns, or copies or duplicates with the capability
44 of the shotguns.
45 (5) All semiautomatic firearms that meet any of the following criteria:
46 a. A semiautomatic, centerfire rifle that has the ability to accept a
47 detachable magazine and has at least one of the following:
48 1. A folding or telescoping stock.
49 2. Any grip of the weapon, including a pistol grip, a thumbhole
50 stock, or any other stock, the use of which would allow an
51 individual to grip the weapon, resulting in any finger on the

- 1 trigger hand in addition to the trigger finger being directly
2 below any portion of the action of the weapon when firing.
3 3. A forward pistol grip.
4 4. A flash suppressor.
5 5. A grenade launcher or flare launcher.
6 b. A semiautomatic, centerfire rifle that has a fixed magazine with the
7 ability to accept more than 10 rounds.
8 c. A semiautomatic, centerfire rifle that has an overall length of less than
9 30 inches.
10 d. A semiautomatic pistol that has an ability to accept a detachable
11 magazine and has at least one of the following:
12 1. An ability to accept a detachable ammunition magazine that
13 attaches at some location outside of the pistol grip.
14 2. A threaded barrel capable of accepting a flash suppressor,
15 forward pistol grip, or silencer.
16 3. A shroud that is attached to, or partially or completely
17 encircles, the barrel and that permits the shooter to fire the
18 firearm without being burned, except a slide that encloses the
19 barrel.
20 4. A second hand grip.
21 e. A semiautomatic pistol with a fixed magazine that has the ability to
22 accept more than 10 rounds.
23 f. A semiautomatic shotgun that has both of the following:
24 1. A folding or telescoping stock.
25 2. Any grip of the weapon, including a pistol grip, a thumbhole
26 stock, or any other stock, the use of which would allow an
27 individual to grip the weapon, resulting in any finger on the
28 trigger hand in addition to the trigger finger being directly
29 below any portion of the action of the weapon when firing.
30 g. A semiautomatic shotgun that has the ability to accept a detachable
31 magazine.
32 h. A shotgun with a revolving cylinder.
33 (b) Requirement. – Except as otherwise provided in subsection (e) of this section, a
34 person in this State who owns and possesses an assault weapon shall register the assault weapon
35 with the sheriff of the county in which the person resides no later than five days after the date the
36 person obtained the assault weapon and annually thereafter so long as the person owns and
37 possesses the assault weapon.
38 (c) Required Information. – A person registering an assault weapon as required under
39 subsection (b) of this section shall complete and submit a form to the sheriff that provides all of
40 the following information:
41 (1) The name and current address of the person registering the assault weapon.
42 (2) The name of the manufacturer and importer of the assault weapon.
43 (3) The model of the assault weapon.
44 (4) The name and address of the individual or entity from which the person
45 registering the assault weapon obtained the assault weapon.
46 (d) Additional Requirements. – Except as otherwise provided in this subsection, upon
47 receiving a completed form in accordance with subsection (c) of this section, the sheriff shall (i)
48 fingerprint and photograph the person registering the assault weapon and (ii) determine the
49 criminal and background history of the person registering the assault weapon by accessing
50 computerized criminal history records as maintained by the State Bureau of Investigation and the
51 Federal Bureau of Investigation, by conducting a national criminal history records check, by

1 conducting a check through the National Instant Criminal Background Check System (NICS),
2 and by conducting a criminal history check through the Administrative Office of the Courts. The
3 requirements of this subsection may be waived if the information required under this subsection
4 is already on file with the sheriff of the county in which the person resides.

5 (e) Confidentiality. – Except as otherwise provided in this subsection, all information
6 provided in accordance with this section is confidential and not a public record under G.S. 132-1.
7 The information provided in accordance with this section shall only be available (i) to a State or
8 local law enforcement agency upon request for the lawful performance of the agency's duties or
9 (ii) by court order.

10 (f) Fee. – The sheriff shall charge for the sheriff's services upon receipt of a completed
11 form in accordance with subsection (c) of this section a fee of five dollars (\$5.00) for each form
12 submitted.

13 (g) Penalty. – A person who (i) fails to register a firearm as required under subsection (b)
14 of this section or (ii) intentionally provides false information when registering an assault weapon
15 as required under subsection (a) of this section, is guilty of a Class 3 misdemeanor."

16 **SECTION 1.(b)** The State Bureau of Investigation, in consultation with the North
17 Carolina Sheriffs' Association, shall establish forms to be used statewide by persons registering
18 assault weapons in accordance with G.S. 14-409.41, as enacted by subsection (a) of this section.

19 **SECTION 1.(c)** Notwithstanding the five-day requirement set forth in
20 G.S. 14-409.41(a), as enacted by subsection (a) of this section, a person who owns and possesses
21 an assault weapon as of the effective date of this section shall register the assault weapon in
22 accordance with the requirements of G.S. 14-409.41 no later than 90 days from the effective date
23 of this section.

24 **SECTION 1.(d)** Except as otherwise provided in subsection (c) of this section, this
25 section becomes effective December 1, 2019, and applies to assault weapons obtained on or after
26 that date.

27 **PART II. REPORT LOST OR STOLEN FIREARMS**

28 **SECTION 2.(a)** Article 53A of Chapter 14 of the General Statutes is amended by
29 adding a new section to read:

30 **"§ 14-409.13. Report of loss or theft of firearm.**

31 (a) Any owner of a firearm as defined in G.S. 14-408.1(a) shall report the loss or theft of
32 the firearm within 48 hours after the discovery of the loss or theft to either (i) the local law
33 enforcement agency having jurisdiction over the location where the loss or theft of the firearm
34 occurred or (ii) the State Bureau of Investigation.

35 (b) A violation of this section is a Class 3 misdemeanor; however, a second or subsequent
36 violation of this section is a Class I felony."

37 **SECTION 2.(b)** This section becomes effective December 1, 2019, and applies to
38 offenses committed on or after that date.

39 **PART III. EFFECTIVE DATE**

40 **SECTION 3.** Except as otherwise provided, this act becomes effective December 1,
41 2019.
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