

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 1105
HOUSE BILL 1404

AN ACT TO AMEND THE FELONY FIREARMS ACT TO INCLUDE DRUG VIOLATORS, ADD WEAPONS OF MASS DEATH AND DESTRUCTION TO THE ONES FELONS ARE PROHIBITED TO POSSESS, MAKE THE ACT AGAIN APPLICABLE TO OUT-OF-STATE FELONY-LEVEL OFFENSES.

The General Assembly of North Carolina enacts:

Section 1. The first paragraph of G.S. 14-415.1(a) is rewritten to read as follows:

"(a) It shall be unlawful for any person who has been convicted of any crime set out in subsection (b) of this section to purchase, own, possess, or have in his custody, care, or control any handgun or other firearm with a barrel length of less than 18 inches or an overall length of less than 26 inches, or any weapon of mass death and destruction as defined in G.S. 14-288.8(c), within five years from the date of such conviction, or the unconditional discharge from a correctional institution, or termination of a suspended sentence, probation, or parole upon such conviction, whichever is later."

Sec. 2. The first two sentences of G.S. 14-415.1(b) are deleted and the following substituted in lieu thereof:

"(b) Prior convictions which cause disentitlement under this section shall only include:

- (1) felonious violations of Articles 3, 4, 6, 7, 8, 10, 13, 14, 15, 17, 30, 33, 36, 36A, 52A, or 53 of Chapter 14 of the General Statutes, or of Article 5 of Chapter 90 of the General Statutes;
- (2) common law robbery and common law maim; and
- (3) violations of criminal laws of other states or of the United States substantially similar to the crimes covered in subdivisions (1) and (2) which are punishable where committed by imprisonment for a term exceeding two years.

When a person is charged under this section, records of prior convictions of any offense, whether in the courts of this State, or in the courts of any other state or of the United States, shall be admissible in evidence for the purpose of proving a violation of this section. The term 'conviction' is defined as a final judgment in any case in which felony punishment, or imprisonment for a term exceeding two years, as the case may be, is permissible, without regard to the plea entered or to the sentence imposed."

Sec. 3. This act shall become effective October 1, 1977.

In the General Assembly read three times and ratified, this the 1st day of July, 1977.