GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

H 1 **HOUSE BILL 984** Short Title: Ban Assault Weapons. (Public) Sponsors: Representatives Michaux; and Luebke. Referred to: Judiciary I. April 19, 1993 1 A BILL TO BE ENTITLED 2 AN ACT TO BAN ASSAULT WEAPONS. 3 The General Assembly of North Carolina enacts: 4 Section 1. G.S. 14-409 reads as rewritten: 5 "§ 14-409. Machine guns and other like weapons. As used in this section, 'machine section: 6 (a) 'Machine gun' or 'submachine gun' means any weapon which shoots, is 7 (1) designed to shoot, or can be readily restored to shoot, automatically 8 more than one shot, without manual reloading, by a single function of 9 the trigger. The term shall also include the frame or receiver of any 10 such weapon, any combination of parts designed and intended for use 11 in converting a weapon into a machine gun, and any combination of 12 parts from which a machine gun can be assembled if such parts are in 13 the possession or under the control of a person; and 14 15 (2) 'Restricted weapon' means: Any semiautomatic rifle designated by the Attorney General of 16

North Carolina which is:

Any of the following firearms:

Algimec AGM1 type;

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Manufactured in the United States; and

readily adaptable to, sporting purposes;

importation of which is prohibited under federal law; and

Not generally recognized as particularly suitable for, or

Any firearm manufactured outside the United States, the

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1	<u>2.</u>	Any shotgun with a revolving cylinder such as the 'Street
2		Sweeper' or 'Striker 12';
3	<u>3.</u>	Armalite AR-180 type;
4	<u>4.</u>	Australian Automatic Arms SAR;
5	<u>5.</u>	Avtomat Kalashnikov type semiautomatic firearms;
6	<u>6.</u>	Beretta AR-70 and BM59 semiautomatic firearms;
7	<u>7.</u>	Bushmaster Assault Rifle;
8	<u>8.</u>	Calico M-900 Assault carbine and M-900;
9	<u>9.</u>	CETME G3;
10	3. 4. 5. 6. 7. 8. 9. 10.	Chartered Industries of Singapore SR-88 type;
11	<u>11.</u>	Colt AR-15 and CAR-15 series;
12	<u>12.</u>	Daewoo K-1, K-2, Max 1 and Max 2, AR-100 types;
13	13.	Demro TAC-1 carbine type;
14	14.	Encom MP-9 and MP-45 carbine types;
15	13. 14. 15.	FAMAS MAS223 types;
16	<u>16.</u>	FN-FAL, FN-LAR, or FN-FNC type semiautomatic
17		firearms;
18	<u>17.</u>	Franchi SPAS 12 and LAW 12 shotguns;
19	<u>18.</u>	G3SA type;
20		Galil type;
21	$\overline{20}$.	Heckler and Koch HK91, HK93, HK94, MP5, PSG-1;
22	$\overline{21}$.	Intratec TEC 9 and 22 semiautomatic firearms;
23	$\overline{22}$.	M1 carbine type;
24	$\overline{23}$.	M14S type;
25	19. 20. 21. 22. 23. 24.	MAC 10, MAC 11, MAC 11-9mm carbine type
26	<u>=</u>	firearms;
27	25.	PJK M-68 carbine type;
28	25. 26. 27.	Plainfield Machine Company Carbine;
29	<u>=6.</u> 27	Ruger K-Mini-14/5F and Mini-14/5RF;
30	<u>28.</u>	SIG AMT, SIG 550SP, SIG 551SP, SIG PE-57 types;
31		SKS with detachable magazine type;
32	$\frac{=3.}{30}$	Spectre Auto carbine type;
33	31.	Springfield Armory BM59 and SAR-48 type;
34	32.	Sterling MK-6, MK-7 and SAR types;
35	33	Steyr A.U.G. semiautomatic firearms;
36	3 <u>3.</u> 34	USAS 12 semiautomatic type shotgun;
37	29. 30. 31. 32. 33. 34. 35.	Uzi type semiautomatic firearms;
38	<u>36.</u>	Valmet M62, M71S, M76, or M78 type semiautomatic
39	<u>30.</u>	firearms; and
40	<u>37.</u>	Weaver Arm Nighthawk.
41		Il make such designation by rule-making proceeding under
42	Chapter 150A of the General Statutes.	
43		any person, firm or corporation to manufacture, sell, give
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away, dispose of, use or possess machine guns, restricted weapons, submachine guns, or

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other like weapons as defined by subsection (a) of this section: Provided, however, that this subsection shall not apply to the following:

Banks, merchants, and recognized business establishments for use in their respective places of business, who shall first apply to and receive from the sheriff of the county in which said business is located, a permit to possess the said weapons for the purpose of defending the said business; officers and soldiers of the United States Army, when in discharge of their official duties, officers and soldiers of the militia and the State guard when called into actual service, officers of the State, or of any county, city or town, charged with the execution of the laws of the State, when acting in the discharge of their official duties; the manufacture, use or possession of such weapons for scientific or experimental purposes when such manufacture, use or possession is lawful under federal laws and the weapon is registered with a federal agency, and when a permit to manufacture, use or possess the weapon is issued by the sheriff of the county in which the weapon is located. Provided, further, that any bona fide resident of this State who now owns a machine gun or restricted weapon used in former wars, as a relic or souvenir, may retain and keep same as his or her property without violating the provisions of this section upon his reporting and registering said ownership to the sheriff of the county in which said person lives.

- (c) Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall be fined not less than five hundred dollars (\$500.00), or imprisoned for not less than six months, or both, in the discretion of the court. a Class I felony."
- Sec. 2. This act becomes effective December 1, 1993, except the Attorney General may adopt rules under this act at any time after ratification, such rules to become effective December 1, 1993.