

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE DRH80355-LH-220A (4/5)

Short Title: Report Lost or Stolen Gun. (Public)

Sponsors: Representative Hall.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE REPORTING OF LOST OR STOLEN GUNS AND TO
PROVIDE A SAFE HARBOR FOR CERTAIN PERSONS TO ENCOURAGE
REPORTING.

The General Assembly of North Carolina enacts:

SECTION 1. Article 52A of Chapter 14 of the General Statutes is amended
by adding a new section to read:

"§ 14-406.1. Duty to report lost or stolen weapon.

(a) Any owner or other person in possession of a handgun, rifle, or shotgun who suffers the loss or theft of the weapon shall report the facts and circumstances of the loss or theft to a police department or sheriff's office in the jurisdiction where the loss or theft is reasonably believed to have occurred not later than 48 hours after the person knew or reasonably should have known of the theft or loss. A separate report shall be made for each instance of theft or loss.

(b) Any person who fails to make a report required by subsection (a) of this section shall be guilty of an infraction for the first offense, of a Class 3 misdemeanor for the second offense, of a Class 2 misdemeanor for the third offense, and of a Class 1 misdemeanor for the fourth and subsequent offenses.

(c) Notwithstanding any other provision of law, a person who makes a report with respect to a handgun for which the person does not have a permit as required by this Article shall not be held criminally liable for failing to obtain such a permit for that handgun, so long as the person is eligible to have obtained the permit required by this Article at the time the report is made, and the person has not been previously convicted of violating this section.

(d) Subsection (a) of this section does not apply to a federally licensed firearms dealer who reports a lost or stolen weapon as required by federal law.

1 (e) The officer or department receiving the report required by subsection (a) of
2 this section shall promptly give written notice of the theft or loss to the Attorney
3 General, along with all of the information received in connection with the report. The
4 Attorney General shall undertake to furnish and to make available the reported
5 information to State and federal law enforcement agencies."

6 **SECTION 2.** This act becomes effective January 1, 2008.