

April 6, 2009

H 1133. FIREARM IN LOCKED MOTOR VEHICLE / PARKING LOT. Filed 4/6/09. *TO PROVIDE THAT NO BUSINESS, COMMERCIAL ENTERPRISE, OR EMPLOYER SHALL PROHIBIT THE TRANSPORTATION OR STORAGE OF A FIREARM OR AMMUNITION WHEN THE FIREARM AND AMMUNITION ARE LOCKED OUT OF SIGHT IN A MOTOR VEHICLE, TO PROVIDE THAT A BUSINESS, COMMERCIAL ENTERPRISE, OR EMPLOYER IS LIABLE TO ANYONE INJURED AS A RESULT OF AN UNLAWFUL PROHIBITION, TO PROVIDE THAT A PERSON MAY BRING A CIVIL ACTION TO ENFORCE THE RIGHT TO TRANSPORT AND STORE A FIREARM AND AMMUNITION IN A LOCKED MOTOR VEHICLE ON THE PROPERTY OF A BUSINESS, COMMERCIAL ENTERPRISE, OR EMPLOYER, AND TO PROVIDE THAT A BUSINESS, COMMERCIAL ENTERPRISE, OR EMPLOYER IS NOT CIVILLY LIABLE FOR DAMAGES RESULTING FROM ANOTHER PERSON'S ACTIONS INVOLVING A FIREARM TRANSPORTED OR STORED IN A LOCKED VEHICLE IN A MANNER THAT COMPLIES WITH STATE LAW.*

Enacts new GS 14-409.41 as the title indicates. Provides a definition of motor vehicle to include any automobile, truck, minivan, sports utility vehicle, motorcycle, motor scooter, and any other vehicle required to be registered under GS Chapter 20. Provides entities and facilities to which this prohibition does not apply including certain facilities owned or leased by a U.S. Department of Defense Contractor; those involving natural gas or electricity; and those where transport or storage of a firearm is prohibited by state or federal law or regulation.

Provides that a person who is injured or the survivors of a person killed as a violation of this section's prohibition on restricting the transportation or storage of a firearm and ammunition in a locked vehicle in a manner otherwise in compliance with state law may bring a civil action in the appropriate court against the employer, commercial enterprise, or business who committed or caused such a violation. Additionally provides for the right to bring a civil action to enjoin any employer, commercial enterprise, or business from violating this section. Provides remedies for an employee who is discharged in violation of a policy or rule controlling firearms that is prohibited by this section.

Effective December 1, 2009 and applies to offenses committed on or after that date.

Intro. by Hilton.

GS 14