

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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S.B. 385
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SENATE BILL DRS45258-LH-98A (03/15)

Short Title: Restoration of Firearms Rights. (Public)

Sponsors: Senators Britt and Tarte (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT A PERSON WHO WAS CONVICTED OF A NONVIOLENT FELONY BUT WHOSE CIVIL RIGHTS HAVE BEEN RESTORED PURSUANT TO THE LAWS OF THIS STATE OR ANOTHER JURISDICTION FOR A PERIOD OF AT LEAST TEN YEARS MAY PETITION THE DISTRICT COURT IN THE DISTRICT WHERE THE PERSON RESIDES TO RESTORE THE PERSON'S FIREARMS RIGHTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-415.4 reads as rewritten:

"§ 14-415.4. **Restoration of firearms rights.**

...

(c) Petition for Restoration of Firearms Rights. – A person who was convicted of a nonviolent felony in North Carolina but whose civil rights have been restored pursuant to Chapter 13 of the General Statutes for a period of at least ~~20~~10 years may petition the district court in the district where the person resides to restore the person's firearms rights pursuant to this section. A person who was convicted of a nonviolent felony in a jurisdiction other than North Carolina may petition the district court in the district where the person resides to restore the person's firearms rights pursuant to this section only if the person's civil rights, including the right to possess a firearm, have been restored, pursuant to the law of the jurisdiction where the conviction occurred, for a period of at least ~~20~~10 years. The court may restore a petitioner's firearms rights after a hearing in court if the court determines that the petitioner meets the criteria set out in this section and is not otherwise disqualified to have that right restored.

(d) Criteria. – The court may grant a petition to restore a person's firearms rights under this section if the petitioner satisfies all of the following criteria and is not otherwise disqualified to have that right restored:

...

(3) The petitioner's rights of citizenship have been restored pursuant to Chapter 13 of the General Statutes or, if the conviction was in a jurisdiction other than North Carolina, have been restored, pursuant to the laws of the jurisdiction where the conviction occurred, for a period of at least ~~20~~10 years before the date of the filing of the petition.

...."

SECTION 2. This act is effective when it becomes law.



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