

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 901
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10398-ML-82

Short Title: Recognize Safety Hold Agreements.

(Public)

Sponsors: Representative Charles Smith.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE LIABILITY PROTECTION FOR A FEDERAL FIREARMS
3 LICENSEE THAT ENTERS INTO A SAFETY HOLD AGREEMENT.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 53B of Chapter 14 of the General Statutes is amended by adding
6 a new section to read:

7 **"§ 14-409.44. Safety hold agreements.**

8 (a) Definitions. – The following definitions apply in this section:

9 (1) Federal firearms licensee. – A person licensed as a dealer, manufacturer, or
10 importer under 18 U.S.C. § 923.

11 (2) Safety hold agreement. – A private transaction between a federal firearms
12 licensee and an individual firearm owner in which the licensee takes physical
13 possession of the owner's lawfully possessed firearm at the owner's request,
14 holds the firearm for an agreed-upon period of time, and returns the firearm
15 to the owner according to the terms of the agreement.

16 (b) Authorization. – A federal firearms licensee may enter into a safety hold agreement
17 with a firearm owner. The safety hold agreement shall not require the payment of a fee in
18 exchange for holding or storing a firearm.

19 (c) Liability. – No individual shall have a cause of action against a federal firearm
20 licensee for any act or omission arising from a safety hold agreement which results in personal
21 injury or death of any individual, including the return of any firearm to the individual firearm
22 owner at the termination of a safety hold agreement. The immunity set forth in this subsection
23 does not apply to any action arising from a safety hold agreement if that action is the result of the
24 negligent or reckless storage of the firearm or otherwise unlawful conduct on the part of the
25 federal firearms licensee.

26 (d) Unclaimed Firearm. – Except as otherwise prohibited by law, if an individual firearm
27 owner does not reclaim his or her firearm at the termination of a safety hold agreement, the
28 federal firearms licensee may sell or otherwise dispose of the firearm.

29 (e) Forms. – The State Bureau of Investigation shall develop a modifiable form that may
30 be used by federal firearms licensees for entering into safety hold agreements. The Bureau shall
31 make copies of the form required under this subsection available on the Bureau's website.

32 (f) Confidentiality. – Nothing in this section shall be construed as making a safety hold
33 agreement entered into in accordance with subsection (a) of this section a public record for
34 purposes of Chapter 132 of the General Statutes. Except as otherwise agreed to by the parties to
35 the agreement, a safety hold agreement entered into in accordance with subsection (a) of this
36 section is confidential.



1 (g) Construction. – Nothing in this section shall be construed as requiring a federal
2 firearms licensee to (i) take possession of an unlawfully possessed firearm or (ii) return a firearm
3 to a person prohibited by law from possessing a firearm."

4 **SECTION 2.** The State Bureau of Investigation shall adopt rules consistent with the
5 provisions of this act. The Bureau may use the procedure set forth in G.S. 150B-21.1 to adopt
6 any rules as required by this section.

7 **SECTION 3.** This act becomes effective July 1, 2025.