

DISQUALIFYING OFFENSE CHART

Federal Permanent Prohibitions <i>Gun Control Act of 1968 as amended by Brady Law of 1993</i>		Title 18 U.S. Code <i>Part 1 Chapter 44 § Section (below)</i>
1	Convicted in any court of a crime punishable by imprisonment for a term exceeding one year Note 1: This term does <u>not</u> include federal or State crimes for antitrust violations, restraints of trade or unfair trade practices. This term <u>only</u> includes misdemeanors if the misdemeanors carry a term of imprisonment of <u>over</u> 2 years. Note 2: A person would not be ineligible under this criteria if the person has been pardoned for the crime or conviction, the crime or conviction has been expunged or set aside, or the person has had their civil rights restored, and under the law where the conviction occurred, the person is not prohibited from receiving or possessing any firearm.	§ 922 (g) (1)
2	Fugitive from justice	§ 922 (g) (2)
3	Unlawful users of or addicted to any controlled substance as defined in 21 USC § 802	§ 922 (g) (3)
4	Adjudicated as mental defective or has been committed to a mental institution	§ 922 (g) (4)
5	An alien illegally or unlawfully in the United States	§ 922 (g) (5)
6	Discharged from U.S. Armed Forces under dishonorable conditions	§ 922 (g) (6)
7	Having been citizen of the United States, has renounced U.S. citizenship	§ 922 (g) (7)
8	Subject to a court order: a. Issued after a hearing of which the person received actual notice and had an opportunity to participate; AND , b. Restrains the person from harassing, stalking, or threatening an intimate partner of the person or child of the intimate partner of the person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; AND , c. Finds the person represents a credible threat to the physical safety of the intimate partner or child; OR d. By its terms expressly prohibits the use, attempted use, or threatened use of physical force against an intimate partner or child that would reasonably be expected to cause bodily injury.	§ 922 (g) (8)
9	Convicted in any court of a misdemeanor crime of domestic violence	§ 922 (g) (9)
10	Under indictment for a crime punishable by imprisonment for term exceeding one year Note 1: See explanations in Item #1 above.	§ 922 (n)

State Permanent Prohibitions		NC General Statute
1	Physical or mental infirmity that prevents the safe handling of a handgun	§ 14-415.12 (a) (3)
2	Applicant is ineligible to own, possess, or receive firearm under state or federal law	§ 14-415.12 (b) (1)
3	Under indictment for or a finding of probable cause exists for a felony	§ 14-415.12 (b) (2)
4	Convicted of a felony Note: If felony is for antitrust violations, restraints of trade, or unlawful trade practices, they may possess firearms. If firearm rights are restored under GS § 14-415.4, they may receive a Concealed Handgun Permit.	§ 14-415.12 (b) (3)
5	Fugitive from justice	§ 14-415.12 (b) (4)

State Permanent Prohibitions		NC General Statute
6	Unlawful user of, or addicted to marijuana, alcohol, or any depressant, stimulant or narcotic drug, or any other controlled substance	§ 14-415.12 (b) (5)
7	Currently or previously lacking mental capacity or mentally ill as judged by a court or administratively determined by a governmental agency whose decisions are subject to judicial review. <i>Note: If rights have been restored under GS § 14-409.42, applicant may receive a Concealed Handgun Permit.....GS § 14-415.12 (c)</i>	§ 14-415.12 (b) (6)
8	Is or has been discharged from the Armed Forces of the United States under conditions other than honorable	§ 14-415.12 (b) (7)
9	Has been adjudicated guilty or received prayer for judgment continued or suspended sentence for one or more crimes of violence constituting a misdemeanor.... <i>Article 8-Chapter 14</i>	§ 14-415.12 (b) (8)
10	Has had an entry of prayer for judgment continued for a criminal offense which would disqualify the person from obtaining a Concealed Handgun Permit	§ 14-415.12 (b) (9)
11	Is free on bond or personal recognizance pending trial, appeal or sentencing for a crime which would disqualify him from obtaining a Concealed Handgun Permit	§ 14-415.12 (b) (10)
12	Assaults on individuals with a disability	§ 14-32.1 (f)
13	Misdemeanor crime of domestic violence	§ 14-32.5
14	Assault and battery against a sports official	§ 14-33 (b) (9)
15	Assault inflicting serious injury upon another person or uses a deadly weapon	§ 14-33 (c) (1)
16	Assaults a female	§ 14-33 (c) (2)
17	Assaults a child under the age of 12	§ 14-33 (c) (3)
18	Assaults on government employees	§ 14-33 (c) (4)
19	Assaults on school employees	§ 14-33 (c) (6)
20	Assaults on public transit operators	§ 14-33 (c) (7)
21	Assaults on company police officers	§ 14-33 (c) (8)
22	Assault inflicting serious injury or using a deadly weapon on a person in a personal relationship and in the presence of a minor	§ 14-33 (d)
23	Assaulting by pointing gun	§ 14-34
24	Possession of Teflon coated bullets	§ 14-34.3
25	Assault or affray on a firefighter, an emergency medical technician, medical responder, and hospital personnel	§ 14-34.6
26	Any crimes involving an assault or a threat to assault a law enforcement officer, probation, or parole officer, person employed at a state or local detention facility department personnel	§ 14-34.7
27	Stalking..... <i>includes *Former GS § 14-277.3 *</i>	§ 14-277.3A
28	Child abuse	§ 14-318.2
29	Domestic criminal trespass	§ 14-134.3
30	Active probation (supervised or unsupervised) for any level of offense, unless the court allows the possession of firearms	§ 15A-1343 (b) (5)
31	Domestic violence protective order violations	§ 50B-4.1

** Former statutes remain prohibitors. Repealed full-text statutes are only available in hard-copy printed form. **

State Prohibitors Under Three-Year Rule <i>Date of Conviction Three Years PRIOR to Date of CHP Application</i>		NC General Statute <i>Article 8–Chapter 14</i>
<i>An applicant who was found guilty OR received a Prayer for Judgment Continued –PJC– OR received a suspended sentence and THREE YEARS have passed since the conviction and prior to the signed application date, if otherwise qualified, such an applicant can receive a Concealed Handgun Permit in accordance with NC General Statute § 14-415.12 (b)(8) and (11).</i>		
1	Simple assaults or affray	§ 14-33 (a)
2	Violation of court orders	§ 14-226.1
3	Furnishing poison, controlled substances, deadly weapons, cartridges, ammunition or alcoholic beverages to inmates of charitable, mental, or penal institutions or local confinement facilities	§ 14-258.1
4	Carrying weapons on campus or other educational property	§ 14-269.2
5	Carrying weapons into assemblies and establishments where alcoholic beverages are sold and/or consumed	§ 14-269.3
6	Carrying weapons on state property and courthouses	§ 14-269.4
7	Possession and sale of spring-loaded projectile knives	§ 14-269.6
8	Impersonation of a law enforcement officer or other public officer	§ 14-277
9	Communicating Threats	§ 14-277.1
10	Carrying weapons at parades and other public gathering	§ 14-277.2
11	Exploding dynamite cartridges and/or bombs <i>Note: Except fireworks violations which are NOT prohibitors GS § 14-414</i>	§ 14-283
12	Riot and inciting to riot	§ 14-288.2
13	Fighting or conduct creating a threat of imminent fighting or other violence	§ 14-288.4 (a) (1)
14	Looting and trespassing during an emergency	§ 14-288.6
15	Assault on emergency personnel	§ 14-288.9
16	Violations of City state of emergency ordinancesincludes *Former GS	§ 14-288.12 *
17	Violations of County state of emergency ordinancesincludes *Former GS	§ 14-288.13 *
18	Violations of State emergency ordinancesincludes *Former GS	§ 14-288.14 *
19	Convicted of an impaired driving offense within 3 years prior to the date of application submission..... GS §§ 20-138.1 OR 20-138.2 OR 20-138.3	§ 14-415.12 (b) (11)
20	Violations of the standards for carrying a concealed weapon Punished under GS § 14-3.1 Punished under GS § 14-415.11(c)(8) Punished under GS § 14-415.11(c2)	§ 14-415.21 (b)
21	Misrepresentation on certification of qualified retired law enforcement officers	§ 14-415.26 (d)

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