

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION

RULE CITATION: General Comments

DEADLINE FOR RECEIPT: 02/17/2026

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Forms 0400, Box 6: Please provide me with the full URL for the link to the Agency Notice. I am unable to access the hyperlink included on the form. Please also provide me with the date that the posting went live on the NCDOJ website.

*Introductory Statements, All Rules: All Intro Statements need to be updated for the **final rule** phase and publication in the Code. Please see the examples on OAH's website at <https://www.oah.nc.gov/documents/rules/permanent-adoption-no-change-publication/download?attachment> and <https://www.oah.nc.gov/documents/rules/permanent-amendment-text-added-after-publication/download?attachment>. Please revise accordingly.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 4, 2026

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION

RULE CITATION: 12 NCAC 10B .0502

DEADLINE FOR RECEIPT: 02/17/2026

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 1, Introductory Statement: Please see comment on "General Comments" page. Please update accordingly.

*(a), line 5: Consider revising this to, "... **shall** consist of instruction designed to ..." As currently written, this seems to be unnecessary because there is no requirement here.*

(a), lines 5-6: Which "skills and knowledge" are you referring to? Is this the list set forth in statute, 17E-4(a)(11)? Something else?

(b), line 8: Is the word "basic" before "curriculum" needed here?

(b), lines 8-10: Is this the only way to obtain the manual? Can manuals be requested online?

(c), lines 12-13: Please change "Title 12, Subchapter 09B, Section .0200 of the North Carolina Administrative Code [<http://www.ncoah.com/rules/>]" to "12 NCAC 09B .0200". Also, is this the correct citation? Aren't the relevant rules actually in Section .0100? Please check and amend it if necessary.

(c), line 18: Add a comma after "Raleigh".

History Note, Spacing: Please update this so that the spacing matches the rest of the rule text.

History Note, line 25: Change the period after "2018" to a semi-colon.

History Note, line 26: Add a period after "2026".

Christopher S. Miller
Commission Counsel
Date submitted to agency: February 4, 2026

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 4, 2026

12 NCAC 10B .0502 is proposed for amendment as published in 40:10 NCR 817-820 as follows:

12 NCAC 10B .0502 BASIC LAW ENFORCEMENT TRAINING COURSE FOR DEPUTIES

(a) The basic training course for deputy sheriffs consists of instruction designed to provide the trainee with the skills and knowledge to perform those tasks essential to function in law enforcement.

(b) The "Basic Law Enforcement Training Manual" as published by the North Carolina Justice Academy shall be used as the ~~as~~ basic curriculum for this Basic Law Enforcement Training Course. Copies of this manual may be obtained ~~at a cost of eighty seven dollars and ten cents (\$87.10)~~ from the North Carolina Justice Academy, Post Office Box 99, Salemburg, North Carolina 28385-0099. The cost of the manual shall be determined by the Justice Academy based upon the current cost of manufacture and shipping.

(c) The rules governing Minimum Standards for Completion of Training, codified as Title 12, Subchapter 09B, Section .0200 of the North Carolina Administrative Code [<http://www.ncoah.com/rules/>] and adopted by the North Carolina Criminal Justice Education and Training Standards Commission, are hereby incorporated by reference, and shall include any later amendments and editions of the incorporated matter to apply to actions of the North Carolina Sheriffs' Education and Training Standards Commission. Copies of the incorporated materials may be obtained at no cost from the Criminal Justice Standards Division, North Carolina Department of Justice, 1700 Tryon Park Drive, Raleigh North Carolina 27602.

*History Note: Authority G.S. 17E-4(a);
Eff. January 1, 1989;
Amended Eff. February 1, 2014; August 1, 2011; January 1, 2010; January 1, 2006; August 1, 2000; January 1, 1996; January 1, 1995; February 1, 1991; January 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018.
Amended Eff. March 1, 2026*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION

RULE CITATION: 12 NCAC 10B .2103

DEADLINE FOR RECEIPT: 02/17/2026

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 1, Introductory Statement: Please see comment on "General Comments" page. Please update accordingly.

(a), line 6: Who are "Specialized Firearm Instructors"? Is this term defined or explained elsewhere in your rules? I did not see anything else that uses this terminology.

Also, add an "s" to the end of "Instructor" in the rule text.

(a)(1), line 7: For consistency, I suggest removing the word "review".

(a)(2)(A): Are there specific range "rules and regulations" that you're referring to here? Be specific, if possible.

(a)(2)(C): What kind of "Malfunctions"? Firearm malfunctions?

(a)(3)(A): Add commas after "breath control" and "trigger press".

(a)(3)(B): Please replace the slash with "and" or "or", as appropriate, unless this is a term of art or a title.

(a)(4): "authorized" by who?

~~(b)~~: Is the Manual being moved elsewhere in your rules? Or is it being entirely removed from the rules?

History Note, Spacing: Please correct the spacing so that it matches up with the rest of the rule text.

History Note, line 26: "Amended Eff. March 1, 2026." needs to be moved to a new line at the bottom of the History Note.

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 4, 2026

History Note, line 28: Change the period after “2018” to a semi-colon.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller
Commission Counsel
Date submitted to agency: February 4, 2026

1 12 NCAC 10B .2103 is being proposed for amendment as published in 40:10 NCR 817-820 as follows:

2
3 12 NCAC 10B .2103 MINIMUM TRAINING REQUIREMENTS

4 (a) ~~In order to be approved by the Commission, an In-Service Firearms Training and Requalification Program shall~~
5 ~~include in~~ In addition to conducting Annual Firearms Qualification, as prescribed in 12 NCAC 10B .2104,
6 Specialized Firearms Instructor shall provide instruction on the following specified topics:

- 7 (1) Use of Force: review the authority to use deadly force including relevant case law and materials.
8 (2) Safety:
9 (A) Range rules and regulations;
10 (B) Handling of a firearm; and
11 (C) Malfunctions.
12 (3) Review of Basic Marksmanship Fundamentals:
13 (A) Grip, stance, breath control trigger press and trigger ~~squeeze~~ reset;
14 (B) Sight ~~and~~ alignment/sight picture; and
15 (C) Nomenclature.
16 (4) Operation and Maintenance of all authorized weapons.

17 ~~(b) The Instructor shall teach the same training objectives for the topical areas listed in this Rule as specified in the~~
18 ~~Specialized Firearms Instructor Training Manual published by the North Carolina Justice Academy which is hereby~~
19 ~~incorporated by reference and shall automatically include any later amendments and editions of the referenced~~
20 ~~materials as the approved source for the above mandated topical areas. Copies of this publication may be obtained~~
21 ~~from the North Carolina Justice Academy, Post Office Drawer 99, Salemburg, North Carolina 28385. There is no~~
22 ~~cost per manual at the time of adoption of this Rule.~~

23
24 *History Note:* Authority G.S. 17E-4; 17E-7;
25 Eff. January 1, 1989;
26 Amended Eff. January 1, 2013; January 1, 1993; March 1, 2026;
27 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,
28 2018.
29

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION

RULE CITATION: 12 NCAC 10B .2104

DEADLINE FOR RECEIPT: 02/17/2026

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

General Comment, Final Rule Formatting: It appears that you have made changes from the published version of the Proposed Rule. These changes need to be denoted in the final rule version. Please see formatting examples on OAH's website at <https://www.oah.nc.gov/rule-format-examples>. Please also see 26 NCAC 02C .0405 for guidance.

General Comment, Use of Numbers: Please consult the OAH Style Guide for formatting guidance on using numbers in rules. The formatting you use in this rule is not always correct. The Style Guide is available online at <https://www.oah.nc.gov/documents/rules/administrative-rule-style-guide-updated-april-2021/download>. Please update accordingly.

Line 1, Introductory Statement: Please see comment on "General Comments" page. Please update accordingly.

*General Comment, (a): How is (a) connected to rule paragraphs (b) and (c)? There appears to be some language missing here. Should (a) say something like, "... shall qualify a minimum of once each year with each department-approved handgun **by completing the Qualification courses set forth in Paragraphs (b), (c), and (e) of this Rule.**"?*

*(a), line 6: Should this say "each **calendar** year"? You use "calendar year" in other places in this same rule.*

(a), line 6: Who is the "department" that is approving handguns?

(a), line 8: Instead of "specification," would "Rule" or "requirement" make more sense here?

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 4, 2026

(a), line 8: You removed the word “service” from (a), line 6. I would suggest removing it here as well for consistency. Unless there is a difference.

(b): What is “Day Accuracy Qualification”? Is this defined or explained anywhere?

(b): For clarity, consider making each sub-requirement a full sentence. For example, (b)(1) could state, “**A minimum of 30 rounds shall be fired by the officer.**” (b)(2) could state, “Firing **shall take place** from the 3-, 5-, 7-, 10-, 15-, and 25-yard lines **and** shall consist of ...”. (b)(3) could state, “At least two rounds **shall be fired** from each ...”. Etc.

(b)(2): Do not use % symbols unless it is a chart or formula. Here, spell out the word “percent”.

(b)(3): Are the terms “standing,” “kneeling,” and “barricade” defined or explained anywhere? Adding context to the Rule would be helpful, especially if they have special meaning.

(b)(7): What is a “stage”? This term is not used anywhere else.

(c), line 30: Remove the space in between “c” and “)”.

(c), lines 30-31: What is “Low-Light Accuracy Qualification”? Is this defined or explained anywhere?

(c): All of my requests above related to (b) also apply to (c). Please respond and revise accordingly.

(c)(8): The word “required” is probably not necessary.

(c)(9): What are “blue lights”? Be more specific, if possible. Are these the emergency car lights?

(d), line 16: Should “low light” be hyphenated here, like it is in (c)?

(e)(1-2): Similar to my comments for (b) and (c), consider re-wording these so that they spell out requirements in full sentences. For example, (e)(1)(A) could state, “At least three decision points shall be included within the course.”

(e)(1)(A): What is a “decision point”? Is this a special term?

(e)(1)(B): The word “required” is probably not necessary.

(e)(1)(C): The word “required” is probably not necessary. Also, how is this articulated? Written? Oral? Both?

(e)(1)(D): What is an “Annual Qualification file”? Is this explained anywhere else? What else goes into the file?

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Commission Counsel

Date submitted to agency: February 4, 2026

(e)(2)(A): What is a “decision point”? Is this a special term?

(e)(2)(B): The word “required” is probably not necessary.

(e)(2)(C): The word “required” is probably not necessary.

(e)(2)(D): The word “required” is probably not necessary. Also, how is this articulated? Written? Oral? Both?

(e)(2)(E): What is an “Annual Qualification file”? Is this explained anywhere else? What else goes into the file?

(e)(2)(E), line 37: Remove the comma after “agency”.

(f), line 1: Change “deputy’s” to “deputy sheriff’s” for consistency with language used earlier in the Rule.

(f), line 1: Why is “service” handgun used here but deleted in other places in the rules? Is this intentional?

(h), line 8: Doesn’t Paragraph (c) also contain accuracy qualification course requirements? Check to make sure whether this should be updated.

(h): Do any of the terms used here need to be hyphenated, such as “lead free” and “ballistic equivalent ammunition” and “point of aim”?

(i): Are these “specifications” or “requirements” set forth anywhere in your rules? Can you make reference to them? As written, this requirement is rather vague. Also, does this mean that they are not subject to the qualification requirements of this rule?

(j): Should “day light” also be defined in the rule, for clarity?

(j), line 15: Capitalize “paragraphs”.

(j), line 16: The comma after “Rule” is not needed.

*(j), line 18: Should this say, “... **shall** occur by cutting off ... and **shall not be** defined by a ...”?*

(k), lines 21-22: I think the rule reference here needs to be updated, based on your revisions to this rule. Should this say, “... pursuant to Paragraphs (a) through (e) of this Rule with each handgun ...”? Please look at this and revise as needed.

(m): Would this make more sense if it followed directly after (c)?

(m): Does this mean you get unlimited attempts, so long as the attempts are spaced out over different days?

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Commission Counsel

Date submitted to agency: February 4, 2026

(m), line 26: Consider adding “at least” in between “weapon” and “once”, if that aligns with your intention.

(n), line 29: Change “courses” to “course” or “course’s”.

(p), line 32: I suggest rewording this line to state, “**The following shall apply to** each Day Accuracy Qualification course and Low-Light Accuracy Qualification course.”

(p)(1) would be revised to, “**Each course** shall be completed ...”

(p)(2): Change “is” to “shall be”.

(p)(3), line 36: Change “is” to “shall be”.

(p)(4), line 1: Change “is” to “shall be”.

(p)(5): Add “**Each course** ...” to the beginning of this requirement.

(p)(6), line 6: What day is “that day”? Does this mean the same day the course was administered?

(q): Consider making similar adjustments here as I had suggested above for (p).

As such, (q), line 10, would change to, “**The following shall apply to** each Day Decision ...”

(q)(1) would be revised to, “**Each course** shall be completed ...”

(q)(2): Change “is” to “shall be”.

(q)(3), line 14: Change “is” to “shall be”.

(q)(4), line 16: Change “is” to “shall be”.

(q)(5): What day is “that day”? Does this mean the same day the course was administered?

History Note, line 37: “Amended Eff. March 1, 2026.” needs to be moved to a new line at the bottom of the History Note.

History Note, line 2: Change the period after “2018” to a semi-colon.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller
Commission Counsel
Date submitted to agency: February 4, 2026

12 NCAC 10B. 2104 is proposed for amendment as published in 40:10 NCR 817-820 as follows:

**12 NCAC 10B .2104 ~~IN-SERVICE~~ ANNUAL FIREARMS REQUALIFICATION QUALIFICATION
SPECIFICATIONS**

(a) All deputy sheriffs and detention officers who are authorized by the sheriff to carry a handgun shall qualify a minimum of once each year with ~~their each individual~~ and department-approved service handgun. ~~The course of fire shall not be less stringent than the "Basic Law Enforcement Training Course" requirements for firearms qualification.~~ For the purpose of this specification, service handgun shall include any semi-automatic pistol or revolver.

(b) The Accuracy Qualification course of fire shall meet the following minimum requirements for Day Accuracy Qualification:

- (1) No fewer than thirty (30) rounds
- (2) Firing from the three (3), five (5), seven (7), ten (10), fifteen (15), and twenty-five (25) yard lines shall consist of no more than the following percentage of shots at each yard line:
 - (A) 3-yard line: 10%
 - (B) 5-yard line: 12%
 - (C) 7-yard line: 30%
 - (D) 10-yard line: 20%
 - (E) 15-yard line: 25%
 - (F) 25-yard line: 20%
- (3) Firing at least two rounds from each of the following positions:
 - (A) Standing
 - (B) Kneeling
 - (C) Barricade
- (4) Firing at least two rounds dominant hand only
- (5) Firing at least two rounds support hand only
- (6) Fire after drawing from the holster
- (7) At least one stage that includes a mandatory magazine change

(c) The Accuracy Qualification course of fire shall meet the following minimum requirements for Low-Light Accuracy Qualification:

- (1) No fewer than thirty (30) rounds
- (2) Firing from the three (3), five (5), seven (7), ten (10), and fifteen (15) yard lines shall consist of no more than the following percentage of shots at each yard line:
 - (A) 3-yard line: 13%
 - (B) 5-yard line: 26%
 - (C) 7-yard line: 24%

1 (D) 10-yard line: 24%

2 (E) 15-yard line: 24%.

3 (3) Firing at least two rounds from the following positions:

4 (A) Standing

5 (B) Kneeling

6 (4) Firing at least two rounds dominant hand only

7 (5) Firing at least two rounds support hand only

8 (6) Firing after drawing from the holster

9 (7) At least one stage that includes a mandatory magazine change

10 (8) At least one stage that includes the required use of a flashlight or weapon-mounted light

11 (9) At least one stage that includes the use of blue lights

12 (10) At least one stage that includes the use of low-beam headlights and blue lights.

13 (11) At least one stage that includes the use of headlights, blue lights, and all available
14 lighting.

15 (d) All deputy sheriffs and detention officers shall successfully complete a Decision Making Qualification course
16 for both day and low light at least once each calendar year.

17 (e) The Decision Making Qualification course shall meet the following minimum requirements:

18 (1) Day Decision Making Qualification:

19 (A) No fewer than three decision points within the course

20 (B) Required target discrimination decision (shoot/no-shoot)

21 (C) Required articulation by the officer of a minimum of two decisions made during
22 the course

23 (D) Shall contain a detailed diagram of the decision making course, with a written
24 explanation of the course, and a scoring matrix outlining what constitutes
25 passing and failing performance, which shall be maintained in an Annual
26 Qualification file by the agency and made available for audit.

27 (2) Low-Light Decision Making Qualification:

28 (A) No fewer than three decision points within the course

29 (B) Required target discrimination decision (shoot/no-shoot)

30 (C) Required use of a flashlight, weapon-mounted light, or other shooter-controlled
31 light source

32 (D) Required articulation by the officer of a minimum of two decisions made during
33 the course.

34 (E) Shall contain a detailed diagram of the decision making course, with a written
35 explanation of the course, and a scoring matrix outlining what constitutes
36 passing and failing performance, which shall be maintained in an Annual
37 Qualification file by the agency, and made available for audit.

1 (f) If a deputy's or detention officer's handgun is replaced with another service handgun of the same make and
2 model, they shall successfully complete the Day Accuracy Qualification with the new service handgun within 15
3 days of issuance.

4 ~~(b)(g)~~ All deputy sheriffs and detention officers who are issued or otherwise authorized by the sheriff to ~~carry~~ use a
5 shotgun, rifle, or automatic weapon shall qualify with each weapon respectively, for both day and low-light use a
6 minimum of at least once each calendar year. The course of fire shall not be less stringent than those set out in the
7 "In Service Firearms Qualification Manual" as published by the North Carolina Justice Academy.

8 ~~(e)(h)~~ The accuracy Qualifications qualification courses conducted pursuant to required by Paragraphs (a) and (b) of
9 this Rule shall be completed with duty equipment and duty ammunition or ballistic equivalent ammunition to
10 include including lead free ammunition that meets the same point of aim, point of impact, and felt recoil of the duty
11 ammunition, for all weapons.

12 (i) All deputy sheriffs and detention officers who are issued or authorized to use a less-lethal weapon, that may also
13 be classified as a firearm, shall qualify with each weapon, respectively, in compliance with the manufacturer's
14 specifications or certification requirements.

15 (j) The accuracy qualification and decision making qualification courses required by paragraphs (a) through (g) and
16 (k) of this Rule, shall define low light for an outdoor range as beginning 30 minutes after sunset, based on the time
17 provided by the U.S. Naval Observatory chart for the date of qualification, specific to the location of the outdoor
18 range. For an indoor range, transition to low-light environment occurs by cutting off the lighting and is not defined
19 by a specific time.

20 ~~(d)(k)~~ All deputy sheriffs and detention officers who are authorized by the sheriff to carry off duty handguns shall
21 qualify with their off duty handgun a minimum of once each calendar year pursuant to 12 NCAC 10B .2103 and
22 .2104(a) and (b) with each handgun the officer carries off duty using ammunition approved by the sheriff.

23 ~~(e)(l)~~ All deputy sheriffs and detention officers who are issued or have access to any weapons not stated in this Rule
24 must qualify with these weapons once each calendar year using ammunition approved by the sheriff.

25 (m) To satisfy the requirements for all firearms accuracy qualifications, a deputy sheriff or detention officer shall
26 attain a minimum qualification score of 80 percent accuracy with each weapon once in three attempts with no more
27 than three attempts on each course of fire per day.

28 (n) To satisfy the requirements for all decision making qualification courses, a deputy sheriff or detention officer
29 shall attain a passing score as outlined by the specific courses scoring matrix.

30 ~~(f)(o)~~ In cases where reduced-sized targets are used to simulate actual distances, a modified course of fire may be
31 used.

32 (p) Each Day Accuracy Qualification course and Low-Light Accuracy Qualification course:

33 (1) Shall be completed successfully on a single day, once out of three attempts.

34 (2) Failure to qualify within three attempts on a single day is deemed a failure.

35 (3) Once qualification has begun, if a deputy sheriff or detention officer is unsuccessful at any
36 qualification attempt and fails to complete three attempts in a single day, the officer is deemed to
37 have failed to qualify.

1 (4) No practice is allowed once qualification begins. Practice is not allowed until after the officer
2 qualifies successfully or the third qualification attempt is completed.

3 (5) Shall be completed with each weapon for which qualification is required

4 (6) Each Qualification course may take place on different days; however, all three attempts to qualify
5 for that course shall occur on that day.

6 (7) Once a deputy sheriff or detention officer has failed to qualify in three attempts or failed to
7 complete three attempts to qualify in a single day on any Qualification course, access to the
8 weapon shall be restricted until such time the deputy sheriff or detention officer successfully
9 qualifies with the weapon.

10 (q) Each Day Decision Making Qualification course and Low-Light Decision-Making Qualification course:

11 (1) Shall be completed successfully on a single day, once out of three attempts.

12 (2) Failure to qualify within three attempts on a single day is deemed a failure.

13 (3) Once qualification has begun, if a deputy sheriff or detention officer is unsuccessful at any
14 qualification attempt and fails to complete three attempts in a single day, the officer is deemed to
15 have failed to qualify.

16 (4) No practice is allowed once qualification begins. Practice is not allowed until after the deputy
17 sheriff or detention officer qualifies successfully or the third qualification attempt is completed.

18 (5) Each qualification course may take place on different days; however, all three attempts to qualify
19 for that course shall occur on that day.

20 (6) Once a deputy sheriff or detention officer has failed to qualify in three attempts or failed to
21 complete three attempts to qualify in a single day on any qualification course, access to the
22 weapon shall be restricted until such time the officer successfully qualifies with the weapon.

23 ~~(g) To satisfy the training requirements for all in service firearms requalifications, a deputy sheriff or detention~~
24 ~~officer shall attain a minimum qualification score of 70 percent accuracy with each weapon once in three attempts~~
25 ~~with no more than three attempts on each course of fire per day.~~

26 ~~(h) The "In Service Firearms Qualification Manual" as published by the North Carolina Justice Academy is hereby~~
27 ~~incorporated by reference, and shall automatically include any later amendments or editions of the referenced~~
28 ~~materials to apply as a minimum guide for conducting the annual in service firearms qualification. Copies of the~~
29 ~~publication may be obtained from the North Carolina Justice Academy, Post Office Drawer 99, Salemburg, North~~
30 ~~Carolina 28385. There is no cost per manual at the time of adoption of this Rule.~~

31
32
33 *History Note: Authority G.S. 17E-4; 17E-7;*

34 *Eff. January 1, 1989;*

35 *Amended Eff. January 1, 1994; January 1, 1993; January 1, 1992; January 1, 1991;*

36 *Temporary Amendment Eff. March 1, 1998;*

37 *Amended Eff. January 1, 2011; January 1, 2006; August 1, 2002; August 1, 1998; March 1, 2026;*

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Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018.

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION

RULE CITATION: 12 NCAC 10B .2105

DEADLINE FOR RECEIPT: 02/17/2026

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 1, Introductory Statement: Please see comment on "General Comments" page. Please update accordingly.

Statutory Authority, (a): Please explain where G.S. 17E-4 or 17E-7 gives authority to the Commission to require officers to "immediately surrender their weapons to the sheriff" upon failure.

(a), line 5: Avoid using "immediately" as a time standard – it is viewed by the RRC as being unclear/ambiguous. Instead, be specific about timing requirements, where possible.

(a), line 5: Who would serve as an "authorized representative" of the sheriff? Could this be anyone? How does the sheriff "authorize" them? How would the officer know that the person is "authorized" to receive their weapon?

(b), line 7: Change "12 NCAC 10B .2105(a)" to "Paragraph (a) of this Rule".

(d), line 16: "unauthorized" by who? And how does this "unauthorization" differ from a suspension under paragraph (c)?

(d), line 17: Change "must" to "shall".

(d), line 17: Remove the semi-colon after ".2104".

(d)(2), lines 22-23: What are "all certification files"? How would an officer be able to verify that these files all reflect the same? Or is this part of the documentation that the Commission sends out?

History Note, line 29: "Amended Eff. March 1, 2026." needs to be moved to a new line at the bottom of the History Note.

Christopher S. Miller
Commission Counsel

Date submitted to agency: February 4, 2026

History Note, line 30: Change the period after “2018” to a semi-colon.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller
Commission Counsel
Date submitted to agency: February 4, 2026

1 12 NCAC 10B .2105 is proposed for amendment as published in 40:10 NCR 817-820 as follows:

2
3 **12 NCAC 10B .2105 FAILURE TO QUALIFY**

4 (a) Deputy sheriffs and detention officers who fail to qualify pursuant to Rule .2104 of this Section shall
5 immediately surrender their weapons to the sheriff; or authorized representative ~~upon his request~~, and shall have 30
6 days in which to obtain the qualification score required in 12 NCAC 10B .2104.

7 (b) Failure to qualify within the time period allowed in 12 NCAC 10B .2105(a) shall result in the summary
8 suspension of the deputy sheriff's or detention officer's certification by the Commission.

9 (c) No deputy sheriff or detention officer summarily suspended under Paragraph (b) of this Rule and in compliance
10 with 12 NCAC 10B .0206(a)(3) may work as a certified justice officer until:

11 (1) the sheriff forwards to the Commission documentary evidence verifying that the officer has complied
12 with the requirements of 12 NCAC 10B .2103 and .2104; and

13 (2) the deputy sheriff or detention officer and the sheriff receive from the Commission documentation that
14 the Commission has terminated the suspension and reinstated the certification to the deputy sheriff or
15 detention officer.

16 (d) Any deputy sheriff or detention officer previously unauthorized to carry a weapon but whose status changed to
17 "authorized to carry a weapon," must comply with the provisions set out in 12 NCAC 10B .2103 and .2104; and may
18 not carry a firearm until:

19 (1) the sheriff forwards to the Commission documentary evidence verifying that the officer has complied
20 with the requirements of 12 NCAC 10B .2103 and .2104; and

21 (2) the deputy sheriff or detention officer and the sheriff receive from the Commission documentation that
22 the Commission has amended the officer's status to "authorized to carry a weapon" and all certification files
23 reflect the same.

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25 *History Note: Authority G.S. 17E-4; 17E-7;*

26 *Eff. January 1, 1989;*

27 *Amended Eff. March 1, 1995; January 1, 1995; January 1, 1993; January 1, 1990;*

28 *Temporary Amendment Eff. March 1, 1998;*

29 *Amended Eff. August 1, 1998; March 1, 2026;*

30 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018.*