June 20, 2020: NC Law vs. Covid mask mandates

We have had several people voice concerns over the covid rulings regarding requirement of masks by businesses and municipalities for concealed carry permit holders. Here is some information.

From the NC General Statutes webpage (https://www.ncleg.gov/Laws/GeneralStatutes)

§ 14-12.8. Wearing of masks, hoods, etc., on public property.

No person or persons shall in this State, while wearing any mask, hood or device whereby the person, face or voice is disguised so as to conceal the identity of the wearer, enter, or appear upon or within the public property of any municipality or county of the State, or of the State of North Carolina. (1953, c. 1193, s. 7.)

AND here is a link to a website that compares state laws for reciprocity purposes that may be helpful.

http://www.anapsid.org/cnd/mcs/maskcodes.html

So what does that mean in light of the covid mandate issued by the governor and municipalities?

This is one report found from Buncombe County which outlines their take on the situation.


The report cites this:

While state general statutes prohibit someone from concealing their identity, Senate Bill 704 passed at the end of April, which provides funding for COVID-19 relief and also includes a provision that amends the previous statute to allow people to wear face coverings to protect their physical health or the safety of the wearer. You can find that information in section 4.3(a) when you look HERE. To see the state's previous order, click HERE.

IN MY OPINION ... Section 4.3 (a)(6) allows persons to wear a mask for “physical health or safety” and still carry concealed. CCH Permit holders have the duty to disclose to any law enforcement encountered and carrying, so this just adds another level to that as stated in Section 4.3 (c).

ALSO ... NC is an open carry state. https://nccriminallaw.sog.unc.edu/open-carry/ BUT ... IN MY OPINION ... this may in some instances be considered asking for trouble. Your decision.

REMEMBER – the CCH permit allows you to carry the means to protect yourself. It does NOT give you vigilante rights and does not make you Wyatt Earp!

I'm not a lawyer. My understanding is that a law is supposedly passed with input by our representation. A mandate is a decree by persons without our representation because “they” deem that “it’s for our own good”. I'm old enough to decide for myself what is in my best interests. NC concealed carry permit holders are supposed to do their own due diligence and research and jump to their own conclusions.

Consider all the aspects of the mandate and how it will be enforced. How are the infractions to be reported? What is the mindset of the LE who would be charged with enforcement in your area? You may be surprised at what you find.

Respectfully, S.Hoyle, CCH Instructor