

WEAPONS

CHAPTER 555

H. B. No. 351
(Bunker)

POSSESSION OF PISTOLS AND ISSUANCE OF PISTOL LICENSES

AN ACT

To amend and reenact sections 62-01-04, 62-01-06, and 62-01-07 of the North Dakota Century Code, relating to the possession of pistols and the issuance of pistol licenses.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

Section 1. Amendment.) Section 62-01-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

62-01-04. Who Not to Possess Pistols.) The following persons shall not own a pistol or have one in their possession or under their control:

1. A person who has been convicted anywhere within the last ten years of any of the crimes of murder, manslaughter, robbery, burglary, kidnapping, arson, extortion, mayhem, forcible rape, unlawful entry, and any assault except simple assault and battery or any other crime involving the use of or possession of a pistol.
2. A person who is under the age of seventeen years or who is a drug addict, an alcoholic, or who is emotionally unstable.

Section 2. Amendment.) Section 62-01-06 of the 1967 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

62-01-06. License to Carry Weapon—Who May Issue.) A license to carry a pistol within this state may be issued by a sheriff upon application submitted to the sheriff of the county wherein the applicant has residence. If the applicant is a resident of a city within such county, the sheriff shall immediately notify in writing the chief of police of that city regarding the application. The chief of police of that city shall inform the sheriff in writing of his rejection or approval of the application.

Section 3. Amendment.) Section 62-01-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

62-01-07. License to Carry Weapon—To Whom Issued.) A license to carry a pistol in this state may be issued to:

1. Any person having a bona fide residence or place of business within the jurisdiction of the county; or
2. Any person having a bona fide residence or place of business within the United States of America and a license to carry a pistol issued by a competent authority of any state or subdivision of the United States of America,

if it appears that the applicant therefor has good reason to fear an injury to his person or property or that there is another proper purpose for the carrying of such weapon and that the applicant is a proper person to be so licensed and does not fall into any of the categories specified in section 62-01-04 as being a person not legally entitled to own or have in his possession a pistol.

Approved March 29, 1969.

CHAPTER 556

S. B. No. 479

(Committee on Delayed Bills)

**PURCHASE OF RIFLES AND
SHOTGUNS IN CONTIGUOUS STATES****AN ACT**

To authorize residents of the state of North Dakota to purchase rifles and shotguns in states contiguous to this state.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

Section 1. Declaration of Policy.) The legislative assembly finds that it is in the public interest to authorize residents of this state to purchase or otherwise obtain rifles and shotguns in states contiguous to this state in compliance with such other laws of this state as may be applicable, and in compliance with section 102 of the Gun Control Act of 1968, Public Law 90-618, 18 U. S. C. section 921 et seq.

Section 2. Resident May Purchase Rifle or Shotgun in Contiguous State.) It shall be lawful for a person residing in this state, including a corporation or other business entity maintaining a place of business in this state, to purchase or otherwise obtain a rifle or shotgun in a state contiguous to this state, and to receive or transport such rifle or shotgun into this state.

Section 3. Federal Firearms Licensees—Not Applicable To.) This Act shall not apply or be construed to affect in any way the purchase, receipt, or transportation of rifles and shotguns by federally licensed firearms manufacturers, importers, dealers, or collectors.

Section 4. Definitions.)

1. As used in this Act, the term "a state contiguous to this state" shall mean any state having a common border with this state.
2. As used in this Act, all other terms shall be given the meaning prescribed in 18 U. S. C. section 921, Gun Con-

trol Act of 1968, Public Law 90-618, and the regulations promulgated thereunder as presently enacted or promulgated and as hereafter modified.

Approved March 28, 1969.