

June 2009

## **TITLE 62.1**

### **Weapons**

### **Summary of Bills Enacted by 2009 Legislative Assembly**

This memorandum summarizes 2009 legislation primarily affecting North Dakota Century Code Title 62.1. Bills primarily affecting other titles also affect this title, and relevant provisions of those bills are summarized in this memorandum.

**Senate Bill No. 2415** allows for a Class 1 concealed weapons license to an applicant who is at least age 21 and a Class 2 concealed weapons license to an applicant who is at least age 18 and a resident or nonresident citizen of the United States. The bill requires a Class 1 licensee to successfully participate in classroom instruction on safety rules and deadly force law in this state, complete an open book test, demonstrate familiarity with a firearm or dangerous weapon, and complete an actual shooting or certified proficiency exercise. The bill allows as evidence of familiarity with a firearm or dangerous weapon certification by an individual certified by the Attorney General, which may include a law enforcement officer, military or civilian firearms instructor, hunter safety instructor, or dangerous weapons instructor; evidence of equivalent experience with a firearm or dangerous weapon through participation in organized shooting competition, law enforcement, military service, or dangerous weapons course training; or possession of a license from another state to carry a firearm or dangerous weapon which was granted with the evidence of familiarity with a firearm or dangerous weapon or evidence that the applicant during military service was found to be qualified to operate a firearm or dangerous weapon. An applicant for a Class 2 license must successfully complete the open book test offered for the Class 1 license. The bill converts present concealed weapons licenses to Class 2 licenses and the fee for a concealed weapons license was increased from \$25 to \$45. In addition, the bill requires an applicant to provide documentation relating to any court-ordered treatment or commitment for mental health or alcohol or substance abuse or incidence of domestic violence and provide written authorization for disclosure of the applicant's mental health and alcohol or substance abuse evaluation and treatment records.

**House Bill No. 1015** allows a person conducting testing for a concealed weapons license to charge up to \$50 for conducting the testing.

**House Bill No. 1389** exempts from the term "public gathering" a state or federal park which in effect allows a person to possess a firearm at a state or federal park.

**House Bill No. 1351** allows a staff member of the Attorney General's office to possess a firearm at a public gathering, including publicly owned and operated buildings if the individual maintains the same level of firearms proficiency as is required by the Peace Officer Standards and Training Board for law enforcement officers.