

February 10, 2011

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1209

Page 1, line 1, after "to" insert "create and enact a new section to chapter 62.1-02 of the North Dakota Century Code, relating to the restoration of the right to possess a firearm; and to"

Page 1, line 9, replace "The" with "For a felon who is not sentenced under section 12.1-32-09.1, the"

Page 1, line 9, after "include" insert "a firearm or weapon that is a rifle that has a barrel sixteen inches [40.64 centimeters] or longer or a shotgun that has a barrel eighteen inches [45.72 centimeters] or longer and which is one of the following"

Page 1, line 17, replace the first underscored comma with "or"

Page 1, line 17, remove ", or muzzleloading pistol."

Page 1, after line 19, insert:

"SECTION 2. A new section to chapter 62.1-02 of the North Dakota Century Code is created and enacted as follows:

Restoration of right to possess firearm.

1. An individual who is prohibited from possessing a firearm due to a conviction of a felony under subdivision b of subsection 1 of section 62.1-02-01 may petition the district court in the district where the individual resides for restoration of the individual's firearm rights.
2. The district court may restore the right of an individual to possess a firearm if the court determines, by clear and convincing evidence, that all of the following circumstances exist:
 - a. The individual has paid all fines imposed for the violation resulting in the prohibition;
 - b. The individual has served all terms of imprisonment imposed for the violation resulting in the prohibition;
 - c. The individual has successfully completed all conditions of probation or parole imposed for the violation resulting in the prohibition; and
 - d. The individual's record and reputation are such that the individual is not likely to act in a manner dangerous to the safety of others."

Renumber accordingly