

Sixty-third
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1215

Introduced by

Representatives Kiefert, Grande, Headland, Karls, K. Koppelman, Laning, Porter

Senators Armstrong, Cook, Dever, Hogue, Luick

1 A BILL for an Act to create and enact a new subsection to section 15.1-19-10 of the North
2 Dakota Century Code, relating to school board policy; and to amend and reenact section
3 62.1-02-05 of the North Dakota Century Code, relating to the carrying of a firearm with a
4 concealed weapons permit.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1.** A new subsection to section 15.1-19-10 of the North Dakota Century Code is
7 created and enacted as follows:

8 Any discussion of policy relating to allowing concealed weapons license holders to
9 possess a firearm or dangerous weapon in a school may be held in executive session
10 under the procedure in section ~~44-09-19.2~~44-04-19.2.

11 **SECTION 2. AMENDMENT.** Section 62.1-02-05 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **62.1-02-05. Possession of a firearm at a public gathering - Penalty - Application.**

- 14 1. ~~A person~~An individual who possesses a firearm at a public gathering is guilty of a
15 class B misdemeanor. For the purpose of this section, "public gathering" includes
16 athletic or sporting events, schools or school functions, churches or church functions,
17 political rallies or functions, musical concerts, and individuals in publicly owned parks
18 where hunting is not allowed by proclamation and publicly owned or operated
19 buildings. ~~The term "public gathering" does not apply to a state or federal park.~~
- 20 2. This section does not apply to law:
- 21 a. A law enforcement officers~~officer~~; ~~members~~
- 22 b. A member of the armed forces of the United States or national guard, organized
23 reserves, state defense forces, or state guard organizations, when on duty;
24 ~~competitors~~

- 1 c. A competitor participating in an organized sport shooting event~~event~~; ~~gun and~~
- 2 d. A gun or antique show~~show~~; ~~participants~~
- 3 e. A participant using a blank cartridge firearm~~firearms~~ at a sporting or theatrical
- 4 event~~event~~; ~~any firearms~~
- 5 f. A firearm carried in a temporary residence or motor vehicle; ~~students and~~
- 6 instructors
- 7 g. A student and an instructor at a hunter safety ~~classes~~class; ~~or private~~
- 8 h. Private security personnel while on duty. ~~In addition, a;~~
- 9 i. A state or federal park;
- 10 j. An individual possessing a valid class 1 concealed weapons license from this
- 11 state or who has reciprocity under section 62.1-04-03.1 authorizing the
- 12 ~~person~~individual to carry a firearm concealed if the individual is in a school and
- 13 has the approval to carry under a policy adopted by the governing body of the
- 14 school. If a school authorizes an individual to carry a concealed weapon, local
- 15 law enforcement must be informed of the name of the authorized individual; and
- 16 k. A municipal court judge licensed to practice law in this state, a district court
- 17 judge, a staff member of the office of attorney general, and a retired North Dakota
- 18 law enforcement officer ~~are exempt from the prohibition and penalty in~~
- 19 ~~subsection 1,~~ if the individual maintains the same level of firearms proficiency as
- 20 is required by the peace officer standards and training board for law enforcement
- 21 officers. A local law enforcement agency shall issue a certificate of compliance
- 22 under this section to an individual who is proficient.
- 23 3. This section does not prevent any political subdivision from enacting an ordinance
- 24 ~~which that~~ is less restrictive than this section relating to the possession of firearms at a
- 25 public gathering. ~~Such an~~An enacted ordinance supersedes this section within the
- 26 jurisdiction of the political subdivision.