

HOUSE BILL NO. 1283

Introduced by

Representatives K. Koppelman, Boehning, Heilman, Kasper, Larson, Ruby, Thoreson

Senator Sitte

1 A BILL for an Act to amend and reenact section 62.1-02-05 of the North Dakota Century Code,
2 relating to the carrying of a firearm with a concealed weapons permit; and to declare an
3 emergency.

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

5 **SECTION 1. AMENDMENT.** Section 62.1-02-05 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **62.1-02-05. Possession of a firearm at a public gathering - Penalty - Application.**

8 1. ~~A person~~An individual who possesses a firearm at a public gathering is guilty of a
9 class B misdemeanor. For the purpose of this section, "public gathering" includes
10 athletic or sporting events, schools or school functions, churches or church functions,
11 political rallies or functions, musical concerts, and individuals in publicly owned parks
12 where hunting is not allowed by proclamation and publicly owned or operated
13 buildings. ~~The term "public gathering" does not apply to a state or federal park.~~

14 2. This section does not apply to ~~law~~:

15 a. A law enforcement officer~~officer~~; ~~members~~

16 b. A member of the armed forces of the United States or national guard, organized
17 reserves, state defense forces, or state guard organizations, when on duty;

18 ~~competitors~~

19 c. A competitor participating in an organized sport shooting event~~event~~; ~~gun and~~

20 d. A gun or antique show~~show~~; ~~participants~~

21 e. A participant using a blank cartridge ~~firearms~~firearm at a sporting or theatrical
22 event~~event~~; ~~any firearms~~

23 f. A firearm carried in a temporary residence or motor vehicle; ~~students and~~
24 ~~instructors~~

- 1 g. A student and an instructor at a hunter safety classesclass; or private
2 h. Private security personnel while on duty. In addition, a;
3 i. A state or federal park;
4 j. An individual possessing a valid class 1 concealed weapons license from this
5 state or a valid license issued by another state who has reciprocity under section
6 62.1-04-03.1 authorizing the personindividual to carry a dangerous weapon
7 concealed if the individual is in a church building or other place of worship and
8 has the approval to carry in the church building or other place of worship by a
9 primary religious leader of the church or other place of worship or the governing
10 body of the church or is in a school and has the approval to carry by the principal
11 or the governing body of the school or other place of worship. If a church or other
12 place of worship authorizes an individual to carry a concealed weapon, local law
13 enforcement must be informed of the name of the authorized individual; and
14 k. A municipal court judge licensed to practice law in this state, a district court
15 judge, a staff member of the office of attorney general, and a retired North Dakota
16 law enforcement officer are exempt from the prohibition and penalty in
17 subsection 4, if the individual maintains the same level of firearms proficiency as
18 is required by the peace officer standards and training board for law enforcement
19 officers. A local law enforcement agency shall issue a certificate of compliance
20 under this section to an individual who is proficient.
21 3. This section does not prevent any political subdivision from enacting an ordinance
22 whichthat is less restrictive than this section relating to the possession of firearms at a
23 public gathering. ~~Such an~~An enacted ordinance supersedes this section within the
24 jurisdiction of the political subdivision.

25 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.