

Sixty-third
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1366

Introduced by

Representatives Becker, Brabandt, Dosch, Grande, Looyesen, Porter, Rohr, Ruby, Schmidt,
Streyle

Senators Miller, 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.

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

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

6 **62.1-02-05. Possession of a firearm at a public gathering - Penalty - Application.**

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

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

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

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

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

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

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

22 f. A firearm carried in a temporary residence or motor vehicle; ~~students and~~
23 ~~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 concealed weapons license from this state or
5 who has reciprocity under section 62.1-04-03.1 authorizing the person to carry a
6 firearm concealed but if the individual is in a church, the individual must have the
7 approval of a primary religious leader of that particular church and if the individual
8 is in a school, the individual must have the approval of the chief administrative
9 officer of the school or the governing body of the school; and
10 k. A municipal court judge licensed to practice law in this state, a district court
11 judge, a staff member of the office of attorney general, and a retired North Dakota
12 law enforcement officer are exempt from the prohibition and penalty in-
13 subsection 1, if the individual maintains the same level of firearms proficiency as
14 is required by the peace officer standards and training board for law enforcement
15 officers. A local law enforcement agency shall issue a certificate of compliance
16 under this section to an individual who is proficient.
17 3. This section does not prevent any political subdivision from enacting an ordinance
18 which that is less restrictive than this section relating to the possession of firearms at a
19 public gathering. ~~Such an~~An enacted ordinance supersedes this section within the
20 jurisdiction of the political subdivision.