

**HOUSE BILL NO. 1163**

Introduced by

Representatives B. Koppelman, Ertelt, Johnston, Karls, K. Koppelman, Magrum

Senators Luick, Myrdal

1 A BILL for an Act to amend and reenact subsection 1 of section 62.1-02-04, subsection 1 of  
2 section 62.1-02-05, and section 62.1-02-10 of the North Dakota Century Code, relating to the  
3 possession of firearms or dangerous weapons; and to provide a penalty.

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

5 **SECTION 1. AMENDMENT.** Subsection 1 of section 62.1-02-04 of the North Dakota  
6 Century Code is amended and reenacted as follows:

7 1. An individual who enters or remains in that part of the establishment ~~that is set aside~~  
8 for the retail sale of alcoholic beverages and the consumption of purchased alcoholic  
9 beverages or used as a gaming site at which bingo is the primary gaming activity while  
10 that individual knowingly possesses a firearm or dangerous weapon is guilty of a  
11 ~~class A misdemeanor~~ infraction. In addition, an individual is guilty of an offense  
12 under this section for the knowing possession of a device that uses a projectile and  
13 voltage or a device that uses a projectile and may be used to apply multiple  
14 applications of voltage during a single incident in the part of an establishment ~~that is~~  
15 set aside for the retail sale and consumption of alcoholic beverages.

16 **SECTION 2. AMENDMENT.** Subsection 1 of section 62.1-02-05 of the North Dakota  
17 Century Code is amended and reenacted as follows:

18 1. An individual who knowingly possesses a firearm or dangerous weapon at a public  
19 gathering is guilty of a ~~class B misdemeanor~~ infraction. For the purpose of this  
20 section, "public gathering" means an athletic or sporting event, a school, a church, and  
21 a publicly owned or operated building.

22 **SECTION 3. AMENDMENT.** Section 62.1-02-10 of the North Dakota Century Code is  
23 amended and reenacted as follows:

1           **62.1-02-10. Carrying loaded firearm in certain vehicles prohibited - Penalty -**

2   **Exceptions.**

3           An individual may not keep or carry a loaded firearm in or on any motor vehicle, including  
4 an off-highway vehicle or snowmobile in this state. An individual violating this section is guilty of  
5 ~~a class B misdemeanor~~ an infraction. This prohibition does not apply to:

- 6           1. A member of the armed forces of the United States or national guard, organized  
7           reserves, state defense forces, or state guard organizations while possessing the  
8           firearm issued to the member by the organization and while on official duty.
- 9           2. A law enforcement officer.
- 10          3. An individual possessing a valid concealed weapons license from this state or who  
11          has reciprocity under section 62.1-04-03.1 with a handgun, or with a rifle or shotgun if  
12          not in the field hunting or trapping.
- 13          4. An individual in the field engaged in lawful hunting or trapping of nongame species or  
14          fur-bearing animals.
- 15          5. A security guard or private investigator properly licensed to carry firearms.
- 16          6. An individual possessing a valid special permit issued pursuant to section 20.1-02-05.