

February 16, 2023

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1339

Page 1, line 4, after the semicolon insert "to repeal section 2 of chapter 499 of the 2021 Session Laws, relating to a contingent expiration date for concealed weapon provisions;"

Page 4, line 15, overstrike " **(Contingent** "

Page 4, line 16, overstrike "**expiration date -** ", remove "**See note**" and overstrike the boldfaced closing parenthesis

Page 4, line 30, remove the overstrike over "~~and a valid concealed~~"

Page 5, remove the overstrike over line 1

Page 5, line 2, remove the overstrike over "~~reciprocity with this state under section 62.1-04-03.1~~"

Page 8, line 5, remove the overstrike over "~~and a valid concealed weapons license from the~~"

Page 8, remove the overstrike over line 6

Page 8, line 7, remove the overstrike over "~~62.1-04-03.1~~"

Page 9, overstrike lines 2 through 13

Page 9, line 14, overstrike "in this state or the applicant possesses a valid driver's license"

Page 9, line 14, remove "or nondriver"

Page 9, line 15, remove "identification"

Page 9, line 15, overstrike "from the applicant's state"

Page 9, line 15, remove "or territory"

Page 9, line 15, overstrike "of residence that establishes"

Page 9, overstrike lines 16 through 30

Page 10, overstrike lines 1 through 31

Page 11, overstrike lines 1 through 31

Page 12, overstrike lines 1 through 17

Page 12, line 18, overstrike "state or a valid state-issued driver's license"

Page 12, line 18, remove "or nondriver identification"

Page 12, line 18, overstrike "from the"

Page 12, line 19, overstrike "applicant's state"

Page 12, line 19, remove "or territory"

Page 12, line 19, overstrike "of residence which establishes personal identification"

Page 12, overstrike lines 20 through 30

Page 13, overstrike lines 1 through 18

Page 14, after line 10, insert:

**"SECTION 6. REPEAL.** Section 2 of chapter 499 of the 2021 Session Laws is repealed."

Renumber accordingly

Introduced by

Representatives Koppelman, Cory, Henderson, Mock, Novak, M. Ruby

Senators Boehm, Hogue, Larson, Meyer, Myrdal, K. Roers

1 A BILL for an Act to amend and reenact sections 62.1-02-10, 62.1-03-01, 62.1-04-02,  
2 62.1-04-03, and 62.1-04-04 of the North Dakota Century Code, relating to carrying a loaded  
3 firearm in a vehicle, carrying a handgun, carrying a concealed firearm, a license to carry a  
4 concealed firearm, and producing a license upon request; to repeal section 2 of chapter 499 of  
5 the 2021 Session Laws, relating to a contingent expiration date for concealed weapon  
6 provisions; and to provide a penalty.

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

8 **SECTION 1. AMENDMENT.** Section 62.1-02-10 of the North Dakota Century Code is  
9 amended and reenacted as follows:

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

12 An individual may not keep or carry a loaded firearm in or on any motor vehicle, including  
13 an off-highway vehicle or snowmobile in this state. An individual violating this section is guilty of  
14 an infraction. This prohibition does not apply to:

- 15 1. A member of the armed forces of the United States or national guard, organized  
16 reserves, state defense forces, or state guard organizations while possessing the  
17 firearm issued to the member by the organization and while on official duty.
- 18 2. A law enforcement officer.
- 19 3. An individual possessing a valid concealed weapons license from this state or who  
20 has reciprocity under section 62.1-04-03.1 with a handgun.
- 21 4. An individual who possesses a rifle or shotgun, is not in the field hunting or trapping,  
22 and possesses a valid concealed weapons license from this state or has reciprocity  
23 under section 62.1-04-03.1.

- 1       5. An individual in the field engaged in lawful hunting or trapping of nongame species or
- 2       fur-bearing animals.
- 3       6. A security guard or private investigator properly licensed to carry firearms.
- 4       7. An individual possessing a valid special permit issued pursuant to section 20.1-02-05.
- 5       8. An individual with a handgun who is not otherwise precluded from possessing a
- 6       class 2 firearm and dangerous weapon license under chapter 62.1-04 and who ~~has~~
- 7       ~~possessed for at least thirty days~~possesses a valid driver's license or nondriver
- 8       identification card issued by the department of transportation or by the individual's
- 9       state or territory of residence.
- 10      9. An individual who possesses a rifle or shotgun, is not in the field hunting or trapping,
- 11      and is not otherwise precluded from possessing a class 2 firearm and dangerous
- 12      weapon license under chapter 62.1-04 and ~~has possessed for at least thirty~~
- 13      ~~days~~possesses a valid driver's license or nondriver identification card issued by the
- 14      department of transportation or by the individual's state or territory of residence.

15      **SECTION 2. AMENDMENT.** Section 62.1-03-01 of the North Dakota Century Code is  
16      amended and reenacted as follows:

17      **62.1-03-01. Carrying handgun - Limitations - Exceptions.**

- 18      1. Unless otherwise prohibited by law, an individual may carry a handgun if the handgun
- 19      is unloaded and in plain view or secured.
- 20      2. A limitation under subsection 1 does not apply to:
  - 21      a. An individual possessing a valid concealed weapons license from this state, an
  - 22      individual not otherwise precluded from possessing a class 2 firearm and
  - 23      dangerous weapon license under chapter 62.1-04 and who ~~has possessed for at~~
  - 24      ~~least thirty days~~possesses a valid driver's license or nondriver identification card
  - 25      issued by the department of transportation; or by the individual's state or territory
  - 26      of residence, or an individual who has reciprocity under section 62.1-04-03.1.
  - 27      b. An individual on that person's land, or in that individual's permanent or temporary
  - 28      residence, or fixed place of business.
  - 29      c. An individual while lawfully engaged in target shooting.

- 1 d. An individual while in the field engaging in the lawful pursuit of hunting or  
2 trapping. However, nothing in this exception authorizes the carrying of a loaded  
3 handgun in a motor vehicle.
- 4 e. An individual permitted by law to possess a firearm while carrying the handgun  
5 unloaded and in a secure wrapper from the place of purchase to that person's  
6 home or place of business, or to a place of repair or back from those locations.
- 7 f. Any North Dakota law enforcement officer.
- 8 g. Any law enforcement officer of any other state or political subdivision of another  
9 state who possesses active law enforcement credentials.
- 10 h. Any armed security guard or investigator as authorized by law when on duty or  
11 going to or from duty.
- 12 i. Any member of the armed forces of the United States when on duty or going to or  
13 from duty and when carrying the handgun issued to the member.
- 14 j. Any member of the national guard, organized reserves, state defense forces, or  
15 state guard organizations, when on duty or going to or from duty and when  
16 carrying the handgun issued to the member by the organization.
- 17 k. Any officer or employee of the United States duly authorized to carry a handgun.
- 18 l. An individual engaged in manufacturing, repairing, or dealing in handguns or the  
19 agent or representative of that individual possessing, using, or carrying a  
20 handgun in the usual or ordinary course of the business.
- 21 m. Any common carrier, but only when carrying the handgun as part of the cargo in  
22 the usual cargo carrying portion of the vehicle.

23 **SECTION 3. AMENDMENT.** Section 62.1-04-02 of the North Dakota Century Code is  
24 amended and reenacted as follows:

25 **62.1-04-02. Carrying concealed firearms or dangerous weapons - License**  
26 **distinctions.**

- 27 1. An individual, other than a law enforcement officer, may not carry a firearm or  
28 dangerous weapon concealed unless the individual is licensed to do so or exempted  
29 under this chapter.
- 30 2. An individual who is not otherwise precluded from possessing a class 2 firearm and  
31 dangerous weapon license under this chapter and who ~~has possessed for at least~~

1           ~~thirty days~~possesses a valid driver's license or nondriver identification card issued by  
2           the department of transportation or by the individual's state or territory of residence  
3           may carry a firearm concealed under this chapter.

4           3. An individual may carry a firearm concealed under this chapter if the individual  
5           qualifies for reciprocity under section 62.1-04-03.1 and the individual has the  
6           equivalent of a class 2 firearm and dangerous weapon license from the state in which  
7           the individual is a resident.

8           4. For purposes of this chapter, the difference between a class 1 and class 2 firearm and  
9           dangerous weapon license is only the extent to which a holder of either license may  
10          be eligible to receive reciprocal rights in other jurisdictions. A class 1 firearm and  
11          dangerous weapon licenseholder is eligible to receive reciprocal rights in more  
12          jurisdictions than a class 2 firearm and dangerous weapon licenseholder. The rights  
13          and privileges conveyed by a class 1 or class 2 firearm and dangerous weapon  
14          license within the state are identical.

15          **SECTION 4. AMENDMENT.** Section 62.1-04-03 of the North Dakota Century Code is  
16          amended and reenacted as follows:

17          **62.1-04-03. License to carry a firearm or dangerous weapon concealed - Class 1**  
18          **firearm license and class 2 firearm and dangerous weapon license. ~~(Contingent~~**  
19          **~~expiration date -- See note)~~**

20          1. The director of the bureau of criminal investigation shall issue a license to carry a  
21          firearm or dangerous weapon concealed upon review of an application submitted to  
22          the director if the following criteria are met:  
23          a. The applicant is at least twenty-one years of age for a class 1 firearm license or  
24          at least eighteen years of age for a class 2 firearm and dangerous weapon  
25          license;  
26          b. The applicant can demonstrate that the applicant is a resident of this state by  
27          providing a copy of a valid driver's license or state-issued identification card from  
28          this state that establishes personal identification through photographic means  
29          and shows the applicant's name associated with a valid residential street address  
30          in this state or the applicant possesses a valid driver's license or nondriver  
31          identification from the applicant's state or territory of residence that establishes

1           personal identification through photographic means and shows the applicant's  
2           name associated with a valid residential street address and a valid concealed  
3           weapons license from the applicant's state of residence, which state has  
4           reciprocity with this state under section 62.1-04-03.1;

5           c. The applicant is not an individual specified in section 62.1-02-01 and for a class 1  
6           firearm license the applicant:

- 7           (1) Has not been convicted of a felony;  
8           (2) Has not been convicted of a crime of violence;  
9           (3) Has not been convicted of an offense involving the use of alcohol within  
10           three years prior to the date of application;  
11           (4) Has not been convicted of a misdemeanor offense involving the unlawful  
12           use of narcotics or other controlled substances within ten years prior to the  
13           date of application;  
14           (5) Has not been convicted of an offense involving moral turpitude;  
15           (6) Has not been convicted of an offense involving domestic violence;  
16           (7) Has not been adjudicated by a state or federal court as mentally  
17           incompetent, unless the adjudication has been withdrawn or reversed; and  
18           (8) Is qualified to purchase and possess a firearm under federal law;

19           d. The applicant has successfully completed the testing procedure conducted by a  
20           certified test administrator. The person conducting the testing may assess a  
21           charge of up to fifty dollars for conducting this testing. The attorney general may  
22           certify a test administrator based upon criteria and guidelines prescribed by the  
23           director of the bureau of criminal investigation;

24           e. The applicant satisfactorily completes the bureau of criminal investigation  
25           application form and has successfully passed the criminal history records check  
26           conducted by the bureau of criminal investigation and the federal bureau of  
27           investigation. The applicant shall provide all documentation relating to any  
28           court-ordered treatment or commitment for mental health or substance abuse.  
29           The applicant shall provide the director of the bureau of criminal investigation  
30           written authorizations for disclosure of the applicant's mental health or substance  
31           abuse evaluation and treatment records. The bureau may deny approval for a

- 1 license if the bureau has reasonable cause to believe that the applicant or  
2 licenseholder has been or is a danger to self or others as demonstrated by  
3 evidence, including past pattern of behavior involving unlawful violence or threats  
4 of unlawful violence; past participation in incidents involving unlawful violence or  
5 threats of unlawful violence; or conviction of a weapons offense. In determining  
6 whether the applicant or licenseholder has been or is a danger to self or others,  
7 the bureau may inspect expunged or sealed records of arrests and convictions of  
8 adults and juvenile court records; and
- 9 f. The applicant is not prohibited under federal law from owning, possessing, or  
10 having a firearm under that individual's control.
- 11 2. The attorney general shall offer class 1 firearm and class 2 firearm and dangerous  
12 weapon licenses to carry a firearm or dangerous weapon concealed under the  
13 following requirements:
- 14 a. An applicant for a class 1 firearm license shall successfully participate in a  
15 classroom instruction that sets forth weapon safety rules and the deadly force law  
16 of North Dakota, complete an open book test based upon a manual, demonstrate  
17 familiarity with a firearm, and complete an actual shooting or certified proficiency  
18 exercise. Evidence of familiarity with a firearm to be concealed may be satisfied  
19 by one of the following:
- 20 (1) Certification of familiarity with a firearm by an individual who has been  
21 certified by the attorney general, which may include a law enforcement  
22 officer, military or civilian firearms instructor, or hunter safety instructor;
- 23 (2) Evidence of equivalent experience with a firearm through participation in an  
24 organized shooting competition, law enforcement, or military service;
- 25 (3) Possession of a license from another state to carry a firearm, concealed or  
26 otherwise, which is granted by that state upon completion of a course  
27 described in paragraphs 1 and 2; or
- 28 (4) Evidence that the applicant, during military service, was found to be  
29 qualified to operate a firearm.
- 30 b. An applicant for a class 2 firearm and dangerous weapon license is required to  
31 successfully complete the open book test offered for the class 1 firearm license.



- 1           c. A North Dakota resident who has a valid class 1 firearm license also may carry a  
2           class 2 dangerous weapon without any further testing required. Class 1 and  
3           class 2 permits are equally valid in this state.
- 4           d. Additional testing is not required to renew a class 2 firearm and dangerous  
5           weapon license. A class 1 firearm license may be renewed upon successful  
6           completion of the class 1 firearm requirements within thirty days before  
7           submission of the application for renewal.
- 8           e. An individual who has a valid class 2 firearm license may apply to upgrade to a  
9           class 1 firearm license within five years from the date the class 2 firearm license  
10          was issued and upon successful completion of the requirements under this  
11          chapter. An individual who has a valid class 1 firearm license may request to  
12          convert the license to a class 2 firearm license before the expiration of the class 1  
13          firearm license.
- 14          3. The director of the bureau of criminal investigation shall send by mail to a holder of a  
15          license a notice of the procedures for renewal of the license issued under this section.  
16          The director shall give the notice at least one hundred fifty days but not more than one  
17          hundred eighty days before the expiration of the license.
- 18          4. The bureau of criminal investigation is required to process the application and make a  
19          determination within sixty days of receipt of the properly completed application.
- 20          5. The fee for a concealed weapons license must be credited to the attorney general's  
21          operating fund. All fees must be paid before the license application may be processed  
22          by the director of the bureau of criminal investigation. The attorney general shall list  
23          the fees associated with the license, including the costs of the fingerprint-based  
24          federal criminal history record check, in the attorney general's administrative rules.
- 25          6. The director of the bureau of criminal investigation shall prescribe the form of the  
26          application and license, which must include the name, address, description, a  
27          photograph, and the signature of the individual. The application form must require  
28          sufficient information to properly conduct a criminal history record check and be  
29          accompanied by:
- 30              a. A photocopy of a valid driver's license or identification card issued by this state  
31              which establishes personal identification through photographic means and shows

1 the applicant's name associated with a valid residential street address in this  
2 state or a valid state-issued driver's license or nondriver identification from the  
3 applicant's state or territory of residence which establishes personal identification  
4 through photographic means and shows the applicant's name associated with a  
5 valid residential street address and a valid concealed weapons license from the  
6 applicant's state of residence, which has reciprocity with this state under section  
7 62.1-04-03.1; and

8 b. Two sets of classifiable fingerprints. The two sets of classifiable fingerprints are  
9 not required for a renewal of a concealed weapons license. The license is valid  
10 for five years. The original license must be delivered to the licensee and an  
11 electronic copy must be preserved for six years by the director. Access to license  
12 information must be available to law enforcement through electronic means for  
13 official law enforcement purposes. The applicant or licenseholder shall notify the  
14 director of the bureau of criminal investigation of any change of address or any  
15 other material fact which would affect the restrictions on or the need for the  
16 license.

17 7. The director of the bureau of criminal investigation may deny an application or revoke  
18 or cancel a license after it has been granted for any material misstatement by an  
19 applicant in an application for the license or any violation of this title. The director of  
20 the bureau of criminal investigation shall disclose to the applicant the specific reason  
21 for denial or revocation of the license.

22 8. The applicant may appeal a denial or revocation of this license to the district court of  
23 Burleigh County.

24 9. Information collected from an applicant under this section is confidential information.  
25 However, the information may be disclosed:

- 26 a. To a governmental agency or court for a law enforcement purpose, including the  
27 investigation, prosecution, or punishment of a violation of law.
- 28 b. To a court to aid in a decision concerning sentence, probation, or release pending  
29 trial or appeal.
- 30 c. Pursuant to a court order or a judicial, legislative, or administrative agency  
31 subpoena issued in this state.

1       10. The attorney general may adopt any rules necessary to implement this title.

2       ~~License to carry a firearm or dangerous weapon concealed—Class 1 firearm license~~  
3 ~~and class 2 firearm and dangerous weapon license.~~

4       ~~1. The director of the bureau of criminal investigation shall issue a license to carry a~~  
5 ~~firearm or dangerous weapon concealed upon review of an application submitted to~~  
6 ~~the director if the following criteria are met:~~

7       ~~a. The applicant is at least twenty-one years of age for a class 1 firearm license or~~  
8 ~~at least eighteen years of age for a class 2 firearm and dangerous weapon~~  
9 ~~license;~~

10       ~~b. The applicant can demonstrate that the applicant is a resident of this state by~~  
11 ~~providing a copy of a valid driver's license or state-issued identification card from~~  
12 ~~this state that establishes personal identification through photographic means~~  
13 ~~and shows the applicant's name associated with a valid residential street address~~  
14 ~~in this state or the applicant possesses a valid driver's license or nondriver~~  
15 ~~identification from the applicant's state or territory of residence that establishes~~  
16 ~~personal identification through photographic means and shows the applicant's~~  
17 ~~name associated with a valid residential street address and a valid concealed~~  
18 ~~weapons license from the applicant's state of residence, which state has~~  
19 ~~reciprocity with this state under section 62.1-04-03.1;~~

20       ~~c. The applicant is not an individual specified in section 62.1-02-01 and for a class 1~~  
21 ~~firearm license the applicant:~~

22       ~~(1) Has not been convicted of a felony;~~

23       ~~(2) Has not been convicted of a crime of violence;~~

24       ~~(3) Has not been convicted of an offense involving the use of alcohol within ten~~  
25 ~~years prior to the date of application;~~

26       ~~(4) Has not been convicted of a misdemeanor offense involving the unlawful~~  
27 ~~use of narcotics or other controlled substances within ten years prior to the~~  
28 ~~date of application;~~

29       ~~(5) Has not been convicted of an offense involving moral turpitude;~~

30       ~~(6) Has not been convicted of an offense involving domestic violence;~~

- 1 ~~\_\_\_\_\_ (7) Has not been adjudicated by a state or federal court as mentally~~  
2 ~~incompetent, unless the adjudication has been withdrawn or reversed; and~~
- 3 ~~\_\_\_\_\_ (8) Is qualified to purchase and possess a firearm under federal law;~~
- 4 ~~\_\_\_\_\_ d. The applicant has successfully completed the testing procedure conducted by a~~  
5 ~~certified test administrator. The person conducting the testing may assess a~~  
6 ~~charge of up to fifty dollars for conducting this testing. The attorney general may~~  
7 ~~certify a test administrator based upon criteria and guidelines prescribed by the~~  
8 ~~director of the bureau of criminal investigation;~~
- 9 ~~\_\_\_\_\_ e. The applicant satisfactorily completes the bureau of criminal investigation~~  
10 ~~application form and has successfully passed the criminal history records check~~  
11 ~~conducted by the bureau of criminal investigation and the federal bureau of~~  
12 ~~investigation. The applicant shall provide all documentation relating to any~~  
13 ~~court-ordered treatment or commitment for mental health or alcohol or substance~~  
14 ~~abuse. The applicant shall provide the director of the bureau of criminal~~  
15 ~~investigation written authorizations for disclosure of the applicant's mental health~~  
16 ~~and alcohol or substance abuse evaluation and treatment records. The bureau~~  
17 ~~may deny approval for a license if the bureau has reasonable cause to believe~~  
18 ~~that the applicant or licenseholder has been or is a danger to self or others as~~  
19 ~~demonstrated by evidence, including past pattern of behavior involving unlawful~~  
20 ~~violence or threats of unlawful violence; past participation in incidents involving~~  
21 ~~unlawful violence or threats of unlawful violence; or conviction of a weapons~~  
22 ~~offense. In determining whether the applicant or licenseholder has been or is a~~  
23 ~~danger to self or others, the bureau may inspect expunged or sealed records of~~  
24 ~~arrests and convictions of adults and juvenile court records; and~~
- 25 ~~\_\_\_\_\_ f. The applicant is not prohibited under federal law from owning, possessing, or~~  
26 ~~having a firearm under that individual's control.~~
- 27 ~~\_\_\_\_\_ 2. The attorney general shall offer class 1 firearm and class 2 firearm and dangerous~~  
28 ~~weapon licenses to carry a firearm or dangerous weapon concealed under the~~  
29 ~~following requirements:~~
- 30 ~~\_\_\_\_\_ a. An applicant for a class 1 firearm license shall successfully participate in a~~  
31 ~~classroom instruction that sets forth weapon safety rules and the deadly force law~~

1 ~~of North Dakota, complete an open book test based upon a manual, demonstrate~~  
2 ~~familiarity with a firearm, and complete an actual shooting or certified proficiency~~  
3 ~~exercise. Evidence of familiarity with a firearm to be concealed may be satisfied~~  
4 ~~by one of the following:~~

5 ~~————— (1) Certification of familiarity with a firearm by an individual who has been~~  
6 ~~certified by the attorney general, which may include a law enforcement~~  
7 ~~officer, military or civilian firearms instructor, or hunter safety instructor;~~

8 ~~————— (2) Evidence of equivalent experience with a firearm through participation in an~~  
9 ~~organized shooting competition, law enforcement, or military service;~~

10 ~~————— (3) Possession of a license from another state to carry a firearm, concealed or~~  
11 ~~otherwise, which is granted by that state upon completion of a course~~  
12 ~~described in paragraphs 1 and 2; or~~

13 ~~————— (4) Evidence that the applicant, during military service, was found to be~~  
14 ~~qualified to operate a firearm.~~

15 ~~————— b. An applicant for a class 2 firearm and dangerous weapon license is required to~~  
16 ~~successfully complete the open book test offered for the class 1 firearm license.~~

17 ~~————— c. A North Dakota resident who has a valid class 1 firearm license also may carry a~~  
18 ~~class 2 dangerous weapon without any further testing required. Class 1 and~~  
19 ~~class 2 permits are equally valid in this state.~~

20 ~~————— d. Additional testing is not required to renew a class 2 firearm and dangerous~~  
21 ~~weapon license. A class 1 firearm license may be renewed upon successful~~  
22 ~~completion of the class 1 firearm requirements within thirty days before~~  
23 ~~submission of the application for renewal.~~

24 ~~————— e. An individual who has a valid class 2 firearm license may apply to upgrade to a~~  
25 ~~class 1 firearm license within five years from the date the class 2 firearm license~~  
26 ~~was issued and upon successful completion of the requirements under this~~  
27 ~~chapter. An individual who has a valid class 1 firearm license may request to~~  
28 ~~convert the license to a class 2 firearm license before the expiration of the class 1~~  
29 ~~firearm license.~~

30 ~~————— 3. The director of the bureau of criminal investigation shall send by mail to a holder of a~~  
31 ~~license a notice of the procedures for renewal of the license issued under this section.~~

- 1           ~~The director shall give the notice at least one hundred fifty days but not more than one~~  
2           ~~hundred eighty days before the expiration of the license.~~
- 3     ~~4. The bureau of criminal investigation is required to process the application and make a~~  
4           ~~determination within sixty days of receipt of the properly completed application.~~
- 5     ~~5. The fee for a concealed weapons license must be credited to the attorney general's~~  
6           ~~operating fund. All fees must be paid before the license application may be processed~~  
7           ~~by the director of the bureau of criminal investigation. The attorney general shall list~~  
8           ~~the fees associated with the license, including the costs of the fingerprint-based~~  
9           ~~federal criminal history record check, in the attorney general's administrative rules.~~
- 10    ~~6. The director of the bureau of criminal investigation shall prescribe the form of the~~  
11           ~~application and license, which must include the name, address, description, a~~  
12           ~~photograph, and the signature of the individual. The application form must require~~  
13           ~~sufficient information to properly conduct a criminal history record check and be~~  
14           ~~accompanied by:~~
- 15    ~~a. A photocopy of a valid driver's license or identification card issued by this state~~  
16           ~~which establishes personal identification through photographic means and shows~~  
17           ~~the applicant's name associated with a valid residential street address in this~~  
18           ~~state or a valid state issued driver's license or nondriver identification from the~~  
19           ~~applicant's state or territory of residence which establishes personal identification~~  
20           ~~through photographic means and shows the applicant's name associated with a~~  
21           ~~valid residential street address and a valid concealed weapons license from the~~  
22           ~~applicant's state of residence, which has reciprocity with this state under section~~  
23           ~~62.1-04-03.1; and~~
- 24    ~~b. Two sets of classifiable fingerprints. The two sets of classifiable fingerprints are~~  
25           ~~not required for a renewal of a concealed weapons license. The license is valid~~  
26           ~~for five years. The original license must be delivered to the licensee and an~~  
27           ~~electronic copy must be preserved for six years by the director. Access to license~~  
28           ~~information must be available to law enforcement through electronic means for~~  
29           ~~official law enforcement purposes. The applicant or licensee shall notify the~~  
30           ~~director of the bureau of criminal investigation of any change of address or any~~

1                   ~~other material fact which would affect the restrictions on or the need for the~~  
2                   ~~license.~~

3 ~~7. The director of the bureau of criminal investigation may deny an application or revoke~~  
4 ~~or cancel a license after it has been granted for any material misstatement by an~~  
5 ~~applicant in an application for the license or any violation of this title. The director of~~  
6 ~~the bureau of criminal investigation shall disclose to the applicant the specific reason~~  
7 ~~for denial or revocation of the license.~~

8 ~~8. The applicant may appeal a denial or revocation of this license to the district court of~~  
9 ~~Burleigh County.~~

10 ~~9. Information collected from an applicant under this section is confidential information.~~  
11 ~~However, the information may be disclosed:~~

12 ~~a. To a governmental agency or court for a law enforcement purpose, including the~~  
13 ~~investigation, prosecution, or punishment of a violation of law.~~

14 ~~b. To a court to aid in a decision concerning sentence, probation, or release pending~~  
15 ~~trial or appeal.~~

16 ~~c. Pursuant to a court order or a judicial, legislative, or administrative agency~~  
17 ~~subpoena issued in this state.~~

18 ~~10. The attorney general may adopt any rules necessary to implement this title.~~

19       **SECTION 5. AMENDMENT.** Section 62.1-04-04 of the North Dakota Century Code is  
20 amended and reenacted as follows:

21       **62.1-04-04. Producing license upon request - Penalty.**

22       1. Every individual while carrying a concealed firearm or dangerous weapon, for which a  
23 license to carry concealed is required, shall have on one's person the license issued  
24 by this or another state or a digital image of one's concealed firearm or dangerous  
25 weapon license issued by this state on an electronic device and shall give it to any  
26 active law enforcement officer for an inspection upon request by the officer. The failure  
27 of any individual to give the license or digital image of the license to the officer is prima  
28 facie evidence the individual is illegally carrying a firearm or dangerous weapon  
29 concealed.

30       2. Every individual carrying a concealed firearm under the authority granted in  
31 subsection 2 of section 62.1-04-02 shall inform a law enforcement officer of the

- 1 individual's possession of a concealed weapon upon the initiation of a traffic stop or  
2 any other in-person contact initiated by a law enforcement officer.
- 3 3. Every individual carrying a concealed firearm under the authority granted in  
4 subsection 2 of section 62.1-04-02 ~~must~~shall have on one's person a valid driver's  
5 license or nondriver identification card issued by the department of transportation or by  
6 the individual's state or territory of residence, or a digital image of one's valid driver's  
7 license or nondriver identification card on a mobile device and shall provide the license  
8 or card to any law enforcement officer for inspection upon request by the officer.
- 9 4. An individual who violates this section is guilty of a noncriminal offense punishable by  
10 a fee of twenty dollars.

11 **SECTION 6. REPEAL.** Section 2 of chapter 499 of the 2021 Session Laws is repealed.