

House Energy and Natural Resources
Representative Todd Porter, Chair
Representative Chuck Damschen, Vice-Chair
January 26, 2023

Chair Porter, Members of the House Energy and Natural Resource Committee:

My name is Ben Ehreth and I am the Community Development Director for the City of Bismarck.

We greatly appreciate the opportunity to provide testimony related to House Bill 1340.

We are opposing House Bill 1340 based on the current language and potential unintended consequences that may result. The proposed language of the bill provides uncertainty related to the extent which zoning regulation may be applied to retail establishments selling firearms and/or ammunition. For instance, it is unclear if this bill would prohibit the ability of communities to regulate the location, dimensional standards (setbacks, height, lot coverage), parking, signage, stormwater, or any other aspect of health, safety, and general welfare that zoning ordinances provide for, in relation to the development of retail establishments, which may sell firearms and/or ammunition.

As an example, would a gun shop or a large-scale retail facility be exempt from any local zoning ordinances because they sell firearms and/or ammunition?

Based on this uncertainty we respectfully request you give HB 1340 a DO NOT PASS recommendation.

Thank you for your consideration of our comments.

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