

HB 1479
2/9/23 AN

23.0027.01001
Title.

Prepared by the Legislative Council staff for
Representative Cory
January 30, 2023

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1479

Page 1, line 3, replace "subsection 1 of section 62.1-01-01" with "section 62.1-04-01"

Page 1, line 4, replace "dangerous weapon" with "concealed for firearms and dangerous weapons"

Page 1, remove lines 6 through 23

Page 2, after line 13, insert:

"4. This section does not apply to an ordinance, rule, tax, or regulation enacted by a political subdivision which prohibits the possession of a knife on property or in a building owned, leased, or possessed by the political subdivision.

SECTION 2. AMENDMENT. Section 62.1-04-01 of the North Dakota Century Code is amended and reenacted as follows:

62.1-04-01. Definition of concealed.

A firearm or dangerous weapon is concealed if it is carried in such a manner as to not be discernible by the ordinary observation of a passerby. There is no requirement that there be absolute invisibility of the firearm or dangerous weapon, merely that it not be ordinarily discernible. A firearm or dangerous weapon is considered concealed if it is not secured, and is worn under clothing or carried in a bundle that is held or carried by the individual, or transported in a vehicle under the individual's control or direction and available to the individual, including beneath the seat or in a glove compartment. A firearm or dangerous weapon is not considered concealed if it is:

1. Carried in a belt holster which is wholly or substantially visible or carried in a case designed for carrying a firearm or dangerous weapon and which is wholly or substantially visible;
2. Locked in a closed trunk or luggage compartment of a motor vehicle;
3. Carried in the field while lawfully engaged in hunting, fishing, trapping, camping, field work, or target shooting, or a knife designed as a kitchen knife while en route to or from a place of employment, whether visible or not;
4. Carried by any person permitted by law to possess a handgun unloaded and in a secure wrapper from the place of purchase to that person's home or place of business, or to a place of repair, or back from those locations; or
5. A bow and arrow, rifle, shotgun, unloaded handgun, or a weapon that will expel, or is readily capable of expelling, a projectile by the action of a spring, compressed air, or compressed gas including any such weapon

commonly referred to as a BB gun, air rifle, or CO₂ gun, while carried in a motor vehicle; or

6. A switchblade, gravity knife, stiletto, or dagger, whether visible or not."

Renumber accordingly