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**To:** House Energy and Natural Resources  
**From:** Christopher T. Dodson - Co-Director  
**Subject:** HB 1365 - Possession of a Firearm at a Church  
**Date:** February 7, 2025

The North Dakota Catholic Conference opposes House Bill 1365.

### *Places of Worship*

Existing law allows an individual to have a firearm in a place of worship if the individual meets certain requirements and has permission from the church or place of worship. It is a workable law that does not negate the religious organization's fundamental right to define their sacred spaces. House Bill 1365 destroys that carefully designed compromise and tosses aside the religious rights of places of worship.

Essential to religious liberty is the recognition that churches and other places of worship have a fundamental right to create, design, and exercise autonomy of their religious spaces. Government interference with that right would likely not withstand a legal challenge.

Some religious bodies do not have a problem with firearms in places of worship. To others, the very idea is blasphemous. Others fall somewhere in between. The existing law respects the varying religious views on the matter. It allows an individual to possess a firearm at a place of worship if the place of worship gives approval.

Frankly, the only reason for enacting this section of HB 1365 would be to appease individuals who do not have the courtesy to ask for approval or to respect the decision of the place or worship if approval is not given. This is a poor reason for infringing on religious freedom and subjecting the state to litigation.

### *Schools*

House Bill 1365 leaves intact the general prohibition on possessing a firearm or dangerous weapon at a school or school-sponsored event on school property. However, on Page 4, line 5, it gives any political subdivision the authority to enact an ordinance that is less restrictive as it relates to possession on school property.

The purpose of this language may be to give public school districts the ability to allow certain individuals to possess firearms on public school property. The language, however, goes well beyond that purpose.

It would allow any political subdivision to enact an ordinance forcing a nonpublic school to allow firearms on its property, even if it is against the nonpublic school's policy. Nonpublic schools, not the government, should determine their firearm policies. Moreover, as discussed above, the government should not strip away the right of religious nonpublic schools to have policies consistent with their religious beliefs.

### *Publicly owned or Operated Buildings*

House Bill 1365 removes publicly-owned or operated buildings from the general prohibition against possession of firearms. Although the bill gives a city, county, or township the ability to enact an ordinance prohibiting the possession of a firearm in public areas of a publicly-owned or operated building under certain conditions, it strips all other governmental bodies, such as a park board and the state itself, the ability to regulate the possession of firearms in their public buildings.

The North Dakota Catholic Conference has long held that providers of public services should be able to create firearm policies that reflect the safety needs of the people they serve. House Bill 1365 fails to reflect that.

We ask this committee to give HB 1365 a **Do Not Pass** recommendation.