

Introduced by

Senators Erbele, Lyson, O'Connell

Representatives Brabandt, Kretschmar, Maragos

1 A BILL for an Act to amend and reenact section 62.1-02-05 of the North Dakota Century Code,  
2 relating to carrying a firearm at a public gathering.

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

4 **SECTION 1. AMENDMENT.** Section 62.1-02-05 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **62.1-02-05. Possession of a firearm at a public gathering - Penalty - Application.**

- 7 1. A person who possesses a firearm at a public gathering is guilty of a class B  
8 misdemeanor. For the purpose of this section, "public gathering" includes athletic or  
9 sporting events, schools or school functions, churches or church functions, political  
10 rallies or functions, musical concerts, and individuals in publicly owned parks where  
11 hunting is not allowed by proclamation and publicly owned or operated buildings. The  
12 term "public gathering" does not apply to a state or federal park.
- 13 2. This section does not apply to law enforcement officers; members of the armed forces  
14 of the United States or national guard, organized reserves, state defense forces, or  
15 state guard organizations, when on duty; competitors participating in organized sport  
16 shooting events; gun and antique shows; participants using blank cartridge firearms at  
17 sporting or theatrical events; any firearms carried in a temporary residence or motor  
18 vehicle; students and instructors at hunter safety classes; or private security personnel  
19 while on duty. In addition, a municipal court judge ~~licensed to practice law in this state,~~  
20 a district court judge, a staff member of the office of attorney general, and a retired  
21 North Dakota law enforcement officer are exempt from the prohibition and penalty in  
22 subsection 1 if the individual maintains the same level of firearms proficiency as is  
23 required by the peace officer standards and training board for law enforcement

- 1           officers. A local law enforcement agency shall issue a certificate of compliance under  
2           this section to an individual who is proficient.
- 3        3.   This section does not prevent any political subdivision from enacting an ordinance  
4           which is less restrictive than this section relating to the possession of firearms at a  
5           public gathering. Such an ordinance supersedes this section within the jurisdiction of  
6           the political subdivision.