

HB 1450

Rep. Ben Koppelman- Testimony

Mr. Chairman and Members of the Committee,

Thank you for the opportunity to introduce HB 1450 to you today.

This bill makes a relatively simple change to the restrictions of class 1 Firearms License, by no longer prohibiting an individual from being eligible for the license solely on the basis on an alcohol violation.

I have researched this topic individually and with the assistance of others, and I can find no compelling reason to have this provision. I cannot find a statistical link between those that had a DUI in the past decade and being a risk to society based on possessing a class 1 firearms license. In fact, that link likely does not exist as we currently allow an individual with an alcohol violation to have a class 2 permit.

I spoke at length with Casey Miller at BCI to see if they knew why we had the provision, and if they knew if any of our reciprocal states required it, and they didn't know. They put me in contact with Liz Brocker with the AG's office to see if they could provide information to those questions, and she did not know for sure, but said that in addition to the mental health provision, it could have been a factor in our original approval.

I then had legislative council research the origin of the provision in North Dakota law. This provision was introduced into Century Code during the 2011 legislative session as HB 1461 along with many other pre-qualifications that we currently have for our class 1 permit. In testimony to the Judiciary Committee, the bill sponsor indicated that previous attempts to get reciprocity with Minnesota had been unsuccessful, and the reason given was that they didn't like our mental health provisions. He went on to say that there was a lot of back and