



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Matthew Heilman

District 7
5501 Flatrock Drive
Bismarck, ND 58503-8929
mheilman@ndlegis.gov

COMMITTEES:

Education
Political Subdivisions

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Mr. Chairman and members of the committee,

I am Matt Heilman and a state representative from North Dakota's seventh legislative district in Bismarck. I am here to testify in favor of HB 1411. This bill is to protect law abiding citizens and their right to exercise the second amendment.

This bill is straight to the point. We want to stop all potential red flag laws that would negatively impact people who are not causing harm to anybody. There have been many attempts by Congress going back to at least the 116th Congress (2019-2020) to pass Extreme Risk Protection Orders. The Department of Justice (DOJ) in 2024 launched the National Extreme Risk Protection Order Resource Center to aid implementing states passing Extreme Risk Protection Orders. The Supreme Court ruled 6-3 that struck down New York's "proper cause" requirement for obtaining a concealed carry permit, finding it unconstitutional under the second amendment. The North Dakota Supreme Court recently also ruled against the city of Fargo that the city cannot ban people from selling guns and ammunition from their homes. Both the national and state Supreme Court have been firm in the right to bear arms.

This bill does have an exception on page two lines one through three. The reason the Department of Health and Human Services is excluded is because last session DHHS testified in opposition that they would not be able to prohibit visitors to the state hospital or the state penitentiary from possessing firearms. This exclusion could be argued as too broad, but this is how it was drafted.

Other exceptions in the bill include NDCC 14-07.1, 25-03.1, and domestic abuse. Discussing the bill over with Chief Agent Miller, I did not include 62.1-02-01.2, but I do have an amendment to add that into the bill. With this amendment, the bill still accomplishes its goal which is to protect law abiding citizens. No other concerns about the bill were brought to my attention from Chief Agent Miller. Mr. Chairman and members of the committee I will stand for any questions you may have.