

WEAPONS

CHAPTER 762

SENATE BILL NO. 2105
(Committee on Judiciary)
(At the request of the Attorney General)

FIREARM PROHIBITION DETERMINATIONS

AN ACT to amend and reenact subsections 1 and 2 of section 62.1-02-01 of the North Dakota Century Code, relating to possession of firearms; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

* SECTION 1. AMENDMENT. Subsections 1 and 2 of section 62.1-02-01 of the 1987 Supplement to the North Dakota Century Code are hereby amended and reenacted to read as follows:

1. A person who has been convicted anywhere for a felony involving violence or intimidation, as defined in chapters 12.1-16 through 12.1-25, is prohibited from owning a firearm or having one in possession or under control from the date of conviction and continuing for a period of ten years ~~from~~ after the date of conviction or release from incarceration or probation, whichever is the latter.
2. A person who has been convicted of any felony not provided for in subsection 1 or has been convicted of a class A misdemeanor involving violence or intimidation and that crime was committed while using or possessing a firearm or dangerous weapon, as defined in chapters 12.1-16 through 12.1-25, is prohibited from owning a firearm or having one in possession or under control from the date of conviction and continuing for a period of five years ~~from~~ after the date of conviction or release from incarceration or probation, whichever is the latter.

SECTION 2. EMERGENCY. This Act is declared to be an emergency measure.

Approved April 12, 1989
Filed April 13, 1989

* NOTE: Section 62.1-02-01 was also amended by section 17 of House Bill No. 1052, chapter 158.