

**FIRST ENGROSSMENT
with Senate Amendments
ENGROSSED HOUSE BILL NO. 1215**

Introduced by

Representatives Kiefert, Grande, Headland, Karls, K. Koppelman, Laning, Porter

Senators Armstrong, Cook, Dever, Hogue, Luick

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

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~~An individual who possesses a firearm at a public gathering is guilty of a
8 class B misdemeanor. For the purpose of this section, "public gathering" includes
9 athletic or sporting events, schools or school functions, churches or church functions,
10 political rallies or functions, musical concerts, and individuals in publicly owned parks
11 where hunting is not allowed by proclamation and publicly owned or operated
12 buildings. ~~The term "public gathering" does not apply to a state or federal park.~~

13 2. This section does not apply to ~~law~~:

14 a. ~~A law enforcement officer~~officer; ~~members~~

15 b. ~~A member~~ of the armed forces of the United States or national guard, organized
16 reserves, state defense forces, or state guard organizations, when on duty;
17 ~~competitors~~

18 c. ~~A competitor~~ participating in ~~an~~ organized sport shooting ~~event~~event; ~~gun and~~

19 d. ~~A gun or antique show~~show; ~~participants~~

20 e. ~~A participant~~ using ~~a~~ blank cartridge ~~firearms~~firearm at ~~a~~ sporting or theatrical
21 ~~event~~event; ~~any firearms~~

22 f. ~~A firearm~~ carried in a temporary residence or motor vehicle; ~~students and~~
23 ~~instructors~~

24 g. ~~A student and an instructor~~ at ~~a~~ hunter safety ~~classes~~class; ~~or private~~

- 1 h. Private security personnel while on duty. In addition, a;
2 i. A state or federal park;
3 j. An individual possessing a valid class 1 concealed weapons license from this
4 state or who has reciprocity under section 62.1-04-03.1 authorizing the individual
5 to carry a firearm concealed if the individual is in a school and has the approval
6 to carry under a policy adopted by the governing body of the school. If a school
7 authorizes an individual to carry a concealed weapon, local law enforcement
8 must be informed of the name of the authorized individual; and
9 k. A municipal court judge licensed to practice law in this state, a district court
10 judge, a staff member of the office of attorney general, and a retired North Dakota
11 law enforcement officer are exempt from the prohibition and penalty in-
12 subsection 4, if the individual maintains the same level of firearms proficiency as
13 is required by the peace officer standards and training board for law enforcement
14 officers. A local law enforcement agency shall issue a certificate of compliance
15 under this section to an individual who is proficient.
16 3. This section does not prevent any political subdivision from enacting an ordinance
17 ~~which~~that is less restrictive than this section relating to the possession of firearms at a
18 public gathering. ~~Such an~~An enacted ordinance supersedes this section within the
19 jurisdiction of the political subdivision.