

**Sixty-third Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 8, 2013**

HOUSE BILL NO. 1283
(Representatives K. Koppelman, Boehning, Heilman, Kasper, Larson, Ruby, Thoreson)
(Senator Sitte)

AN ACT to amend and reenact section 62.1-02-05 of the North Dakota Century Code, relating to the carrying of a firearm with a concealed weapons permit.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

1. ~~A person~~An individual who possesses a firearm at a public gathering is guilty of a class B misdemeanor. For the purpose of this section, "public gathering" includes athletic or sporting events, schools or school functions, churches or church functions, political rallies or functions, musical concerts, and individuals in publicly owned parks where hunting is not allowed by proclamation and publicly owned or operated buildings. ~~The term "public gathering" does not apply to a state or federal park.~~
2. This section does not apply to law:
 - a. ~~A law enforcement officers~~officer; ~~members~~
 - b. ~~A member~~ of the armed forces of the United States or national guard, organized reserves, state defense forces, or state guard organizations, when on duty; ~~competitors~~
 - c. ~~A competitor~~ participating in ~~an~~ organized sport shooting event~~event~~; ~~gun and~~
 - d. ~~A gun or antique show~~show; ~~participants~~
 - e. ~~A participant~~ using ~~a~~ blank cartridge ~~firearms~~firearm at ~~a~~ sporting or theatrical event~~event~~; ~~any firearms~~
 - f. ~~A firearm~~ carried in a temporary residence or motor vehicle; ~~students and instructors~~
 - g. ~~A student and an instructor~~ at ~~a~~ hunter safety ~~classes~~class; ~~or private~~
 - h. ~~Private security personnel while on duty.~~~~In addition, a;~~
 - i. ~~A state or federal park;~~
 - j. An individual possessing a valid class 1 concealed weapons license from this state or who has reciprocity under section 62.1-04-03.1 authorizing the individual to carry a dangerous weapon concealed if the individual is in a church building or other place of worship and has the approval to carry in the church building or other place of worship by a primary religious leader of the church or other place of worship or the governing body of the church or other place of worship. If a church or other place of worship authorizes an individual to carry a concealed weapon, local law enforcement must be informed of the name of the authorized individual; and
 - k. ~~A municipal court judge licensed to practice law in this state, a district court judge, a staff member of the office of attorney general, and a retired North Dakota law enforcement officer are exempt from the prohibition and penalty in subsection 1,~~ if the individual

maintains the same level of firearms proficiency as is required by the peace officer standards and training board for law enforcement officers. A local law enforcement agency shall issue a certificate of compliance under this section to an individual who is proficient.

3. This section does not prevent any political subdivision from enacting an ordinance ~~which~~that is less restrictive than this section relating to the possession of firearms at a public gathering. ~~Such an~~An enacted ordinance supersedes this section within the jurisdiction of the political subdivision.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-third Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1283.

House Vote: Yeas 82 Nays 11 Absent 1

Senate Vote: Yeas 28 Nays 17 Absent 2

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2013.

Approved at _____ M. on _____, 2013.

Governor

Filed in this office this _____ day of _____, 2013,

at _____ o'clock _____ M.

Secretary of State