

**HOUSE BILL NO. 1109**

Introduced by

Representatives Heinert, Meier, Pyle, M. Ruby

Senator Myrdal

1 A BILL for an Act to amend and reenact subsection 2 of section 62.1-02-05 of the North Dakota  
2 Century Code, relating to the possession of a firearm or dangerous weapon at a public  
3 gathering.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 2 of section 62.1-02-05 of the North Dakota  
6 Century Code is amended and reenacted as follows:

7 2. This section does not apply to:

- 8 a. A law enforcement officer, or a correctional officer employed by the department of  
9 corrections and rehabilitation or by a correctional facility governed by chapter  
10 12-44.1. A correctional officer employed by the department of corrections and  
11 rehabilitation may carry a firearm only as authorized in section 12-47-34. A  
12 correctional officer employed by a correctional facility governed by chapter  
13 12-44.1 may carry a firearm or dangerous weapon only as authorized in section  
14 12-44.1-30;
- 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 c. A competitor participating in an organized sport shooting event;
- 18 d. A gun or antique show;
- 19 e. A participant using a blank cartridge firearm at a sporting or theatrical event;
- 20 f. A firearm or dangerous weapon carried in a temporary residence or motor  
21 vehicle;
- 22 g. A student and an instructor at a hunter safety class;
- 23 h. Private and public security personnel while on duty;
- 24 i. A state or federal park;

- 1           j. An instructor, a test administrator, an official, or a participant in educational,  
2           training, cultural, or competitive events involving the authorized use of a  
3           dangerous weapon if the event occurs with permission of the person or entity  
4           with authority over the function or premises in question;
- 5           k. An individual in a publicly owned or operated rest area or restroom;
- 6           l. An individual possessing a valid concealed weapons license from this state or  
7           who has reciprocity under section 62.1-04-03.1 authorizing the individual to carry  
8           a firearm or dangerous weapon concealed if the individual is in a church building  
9           or other place of worship and has the approval to carry in the church building or  
10          other place of worship by a primary religious leader of the church or other place  
11          of worship or the governing body of the church or other place of worship;
- 12          m. A state, federal, or municipal court judge, a district court magistrate judge or  
13          judicial referee, and a staff member of the office of attorney general if the  
14          individual maintains the same level of firearms proficiency as is required by the  
15          peace officer standards and training board for law enforcement officers. A local  
16          law enforcement agency shall issue a certificate of compliance under this section  
17          to an individual who is proficient;
- 18          n. An individual's storage of a firearm or dangerous weapon in a building that is  
19          owned or managed by the state or a political subdivision, provided:
- 20            (1) The individual resides in the building;
- 21            (2) The storage is inside the individual's assigned residential unit; and
- 22            (3) The storage has been consented to by the state, the governing board, or a  
23            designee; and
- 24          o. An individual authorized to carry a concealed weapon on school property under  
25          section 62.1-02-14; and
- 26          p. An individual who is a paramedic or other emergency responder if the individual  
27          maintains the same level of firearms proficiency as is required by the peace  
28          officer standards and training board for law enforcement officers. A local law  
29          enforcement agency shall issue a certificate of compliance under this section to  
30          an individual who is proficient. Upon issuance of a certificate of compliance, the

- 1 bureau of criminal investigation shall issue that individual an unrestricted
- 2 concealed weapons license.