

HOUSE BILL NO. 1389

Introduced by

Representatives Karls, Dahl, Damschen, DeKrey

Senators Nething, Triplett

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 possession of a firearm in a park.

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

13 2. This section does not apply to law enforcement officers; members of the armed
14 forces of the United States or national guard, organized reserves, state defense
15 forces, or state guard organizations, when on duty; competitors participating in
16 organized sport shooting events; gun and antique shows; participants using blank
17 cartridge firearms at sporting or theatrical events; any firearms carried in a
18 temporary residence or motor vehicle; students and instructors at hunter safety
19 classes; or private security personnel while on duty. In addition, a municipal court
20 judge licensed to practice law in this state, a district court judge, and a retired North
21 Dakota law enforcement officer are exempt from the prohibition and penalty in
22 subsection 1 if the individual is otherwise licensed to carry a firearm under section
23 62.1-04-03 and maintains the same level of firearms proficiency as is required by
24 the peace officers standards and training board for law enforcement officers. A

- 1 local law enforcement agency shall issue a certificate of compliance under this
2 section to an individual who is proficient.
- 3 3. This section does not prevent any political subdivision from enacting an ordinance
4 which is less restrictive than this section relating to the possession of firearms at a
5 public gathering. Such an ordinance supersedes this section within the jurisdiction
6 of the political subdivision.