

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1241

Page 1, line 1, remove "create and enact a new section to chapter 62.1-02 of the North Dakota"

Page 1, line 2, remove "Century Code, relating to medical workers and firearms; to"

Page 1, line 2, replace "sections" with "section"

Page 1, line 3, after the first comma insert "subsection 1 of section 62.1-01-01, sections"

Page 1, line 3, after the third comma insert "62.1-02-10, and"

Page 1, line 3, after the fourth comma insert "subsection 5 of section 62.1-04-01,"

Page 1, line 3, after "and" insert "sections 62.1-04-02 and"

Page 1, line 4, after "firearms" insert "and dangerous weapons"

Page 1, line 4, remove "to repeal section 62.1-02-10 of the North Dakota Century Code,"

Page 1, line 5, remove "relating to firearms in vehicles;"

Page 1, after line 15, insert:

"SECTION 2. AMENDMENT. Subsection 1 of section 62.1-01-01 of the North Dakota Century Code is amended and reenacted as follows:

1. "Dangerous weapon" includes any switchblade or gravity knife, machete, scimitar, stiletto, sword, dagger, or knife with a blade of five inches [12.7 centimeters] or more; any throwing star, nunchaku, or other martial arts weapon; any billy, blackjack, sap, bludgeon, cudgel, metal knuckles, or sand club; any slungshot; any bow and arrow, crossbow, or spear; any weapon that will expel, or is readily capable of expelling, a projectile by the action of a spring, compressed air, or compressed gas, including any such weapon, loaded or unloaded, commonly referred to as a BB gun, air rifle, or CO2 gun; and any projector of a bomb or any object containing or capable of producing and emitting any noxious liquid, gas, or substance. "Dangerous weapon" does not include a spray or aerosol containing CS, also known as ortho-chlorobenzamalonitrile; CN, also known as alpha-chloroacetophenone; or other irritating agent intended for use in the defense of an individual, nor does the term include a device that uses ~~direct contact to deliver~~ voltage for the defense of an individual, unless the device uses a projectile and voltage, then the term includes the device for an individual who is prohibited from possessing a firearm under this title."

Page 1, line 21, after "sale" insert "and consumption"

Page 1, line 23, after the period insert "In addition, an individual is guilty of an offense under this section for possession of a device that uses a projectile and voltage in the part of an establishment that is set aside for the retail sale and consumption of alcoholic beverages."

Page 2, line 2, remove "An individual possessing a concealed weapons license from this state or who has"

Page 2, remove lines 3 through 5

Page 2, line 6, remove "c."

Page 2, line 7, remove the overstrike over "e:"

Page 2, line 7, remove "d."

Page 2, line 8, remove the overstrike over "d:"

Page 2, line 8, remove "e."

Page 2, line 10, remove the overstrike over "e:"

Page 2, line 10, remove "f."

Page 2, line 13, remove the overstrike over "f:"

Page 2, line 13, remove "g."

Page 2, line 21, after "means" insert "an"

Page 2, line 21, overstrike "events, schools or school functions,"

Page 2, line 23, after "proclamation" insert "event, a school, a church."

Page 2, line 23, after "and" insert "a"

Page 2, line 24, overstrike "buildings" and insert immediately thereafter "building"

Page 2, line 29, remove "An individual possessing a concealed weapons license from this state or who has"

Page 2, remove line 30

Page 2, line 31, remove "d."

Page 3, line 1, remove the overstrike over "d:"

Page 3, line 1, remove "e."

Page 3, line 2, remove the overstrike over "e:"

Page 3, line 2, remove "f."

Page 3, line 3, remove the overstrike over "f:"

Page 3, line 3, remove "g."

Page 3, line 5, remove the overstrike over "g:"

Page 3, line 5, remove "h."

Page 3, line 6, remove the overstrike over "h:"

Page 3, line 6, remove "i."

Page 3, line 7, remove the overstrike over "i:"

Page 3, line 7, remove "j."

Page 3, line 8, remove the overstrike over "j:"

Page 3, line 8, remove "k."

Page 3, line 11, remove "and"

Page 3, remove the overstrike over lines 12 through 20

Page 4, replace lines 1 through 7 with:

"SECTION 5. AMENDMENT. Section 62.1-02-10 of the North Dakota Century Code is amended and reenacted as follows:

62.1-02-10. Carrying loaded firearm in vehicle~~ecertain vehicles prohibited~~ - Penalty - Exceptions.

An individual may not keep or carry a loaded firearm in or on any motor vehicle, including an off-highway vehicle or snowmobile in this state. An individual violating this section is guilty of a class B misdemeanor. This prohibition does not apply to:

1. A member of the armed forces of the United States or national guard, organized reserves, state defense forces, or state guard organizations while possessing the firearm issued to the member by the organization and while on official duty.
2. A law enforcement officer, ~~except while the officer is engaged in hunting or trapping activities with a rifle or shotgun.~~
3. An individual possessing a valid North Dakota concealed weapons license from this state or a valid license issued by another state authorizing the individual to carry a firearm or dangerous weapon concealed if that state permits a holder of a valid North Dakota concealed weapons license to carry a firearm or dangerous weapon concealed in that state without obtaining a similar license from that state, except while that individual is in the field engaged in hunting or trapping activities who has reciprocity under section 62.1-04-03.1 with a handgun, or with a rifle or shotgun if not in the field hunting or trapping.
4. An individual in the field engaged in lawful hunting or trapping of nongame species or fur-bearing animals.
5. A security guard or private investigator properly licensed to carry firearms.
6. An individual possessing a valid special permit issued pursuant to section 20.1-02-05."

Page 4, line 23, remove the overstrike over "~~However, nothing in this exception authorizes the carrying of a loaded~~"

Page 4, remove the overstrike over line 24

Page 5, replace lines 14 and 15 with:

"SECTION 7. AMENDMENT. Subsection 5 of section 62.1-04-01 of the North Dakota Century Code is amended and reenacted as follows:

5. A bow and arrow, ~~an unloaded rifle or~~ shotgun, unloaded handgun, or ~~an unloaded~~ a weapon that will expel, or is readily capable of expelling, a projectile by the action of a spring, compressed air, or compressed gas

including any such weapon commonly referred to as a BB gun, air rifle, or CO₂ gun, while carried in a motor vehicle.

SECTION 8. AMENDMENT. Section 62.1-04-02 of the North Dakota Century Code is amended and reenacted as follows:

62.1-04-02. Carrying concealed firearms or dangerous weapons prohibited.

An individual, other than a law enforcement officer, may not carry any firearm or dangerous weapon concealed unless the individual is licensed to do so or exempted under this chapter. For purposes of this chapter, the term "dangerous weapon" does not include a spray or aerosol containing CS (ortho-chlorobenzamalonitrile), CN (alpha-chloroacetophenone) or other irritating agent intended for use in the defense of an individual, nor does the term include any ~~stun gun or device that uses direct contact to deliver voltage for the defense of an individual, unless the device uses a projectile and voltage, then the term includes the device for an individual who is prohibited from possessing a firearm under this title.~~

Page 5, after line 27 insert "2."

Page 5, line 28, remove the overstrike over "~~A person who violates this section is guilty of a class C felony. Upon arrest of that person,~~"

Page 5, remove the overstrike over lines 29 through 31

Page 6, remove the overstrike over lines 1 through 5

Page 6, line 6, replace "2." with "3."

Page 6, line 7, replace "fifteen" with "thirty"

Page 6, remove line 9

Renumber accordingly