

HOUSE BILL NO. 1404

Introduced by

Representatives Heilman, Bahl, Christensen, Hauck, Koppelman, Prichard

Senator Magrum

1 A BILL for an Act to create and enact a new section to chapter 15-10 and a new subdivision to
2 subsection 2 of section 62.1-02-05 of the North Dakota Century Code, relating to carrying a
3 concealed firearm on a college campus; to amend and reenact section 62.1-01-03 of the North
4 Dakota Century Code, relating to the limitation on authority of a political subdivision regarding
5 firearms; and to provide a penalty.

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

7 **SECTION 1.** A new section to chapter 15-10 of the North Dakota Century Code is created
8 and enacted as follows:

9 **Concealed firearm carry on campus.**

10 The state board of higher education may not:

- 11 1. Prohibit an individual authorized to carry a concealed firearm or dangerous weapon
12 under chapter 62.1-04 from possessing a concealed firearm or dangerous weapon on
13 a college or university campus, or in any building or facility of a campus or on any
14 other institution under the control of the state board of higher education;
- 15 2. Allow any employee of a college, university, or any other institution of higher education
16 to interfere with the carrying of a concealed firearm or dangerous weapon by an
17 individual authorized to do so under chapter 62.1-04-02; or
- 18 3. Prohibit an individual from carrying or possessing a spray or aerosol containing CS,
19 also known as ortho-chlorobenzamalonitrile, or CN, also known as
20 alpha-chloroacetophenone, or other irritating agent intended for use in the defense of
21 an individual, on a college or university campus, or in any building or facility of a
22 campus or on any other institution of higher education.

23 **SECTION 2. AMENDMENT.** Section 62.1-01-03 of the North Dakota Century Code is
24 amended and reenacted as follows:

1 **62.1-01-03. Limitation on authority of political subdivision regarding firearms - Civil**
2 **action.**

- 3 1. A political subdivision, including home rule cities or counties, or a state agency
4 including a college, university, and any other institutions under the control of the state
5 board of higher education, may not enact a zoning ordinance ~~or any other,~~ ordinance,
6 rule, or regulation relating to the purchase, sale, ownership, possession, transfer of
7 ownership, registration, or licensure of firearms and ammunition which is more
8 restrictive than state law. All such existing ordinances, rules, and regulations are void.
9 2. A person aggrieved under subsection 1 may bring a civil action against a political
10 subdivision for damages as a result of an unlawful ordinance.

11 **SECTION 3.** A new subdivision to subsection 2 of section 62.1-02-05 of the North Dakota
12 Century Code is created and enacted as follows:

13 An individual authorized to carry a concealed firearm or dangerous weapon
14 under chapter 62.1-04 who carries on a college or university campus, or in any
15 building or facility of a campus or on any other institution of higher education.