

Sixty-third  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1366

Introduced by

Representatives Becker, Brabandt, Dosch, Grande, Looyesen, Porter, Rohr, Ruby, Schmidt,  
Streyle

Senators Miller, Sitte

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 carrying of a firearm with a concealed weapons permit.

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

13 2. This section does not apply to ~~law~~:

14 a. ~~A law enforcement officers~~officer; ~~members~~

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 ~~competitors~~

18 c. A competitor participating in an organized sport shooting ~~event~~event; ~~gun and~~

19 d. A gun or antique show~~show~~; ~~participants~~

20 e. A participant using a blank cartridge ~~firearms~~firearm at a sporting or theatrical  
21 ~~event~~event; ~~any firearms~~

22 f. A firearm carried in a temporary residence or motor vehicle; ~~students and~~  
23 ~~instructors~~

- 1           g. A student and an instructor at a hunter safety classesclass; or private  
2           h. Private security personnel while on duty. In addition, a;  
3           i. A state or federal park;  
4           j. An individual possessing a valid concealed weapons license from this state or  
5           who has reciprocity under section 62.1-04-03.1 authorizing the individual to carry  
6           a firearm concealed; and  
7           k. A municipal court judge licensed to practice law in this state, a district court  
8           judge, a staff member of the office of attorney general, and a retired North Dakota  
9           law enforcement officer ~~are exempt from the prohibition and penalty in~~  
10          ~~subsection 4,~~ if the individual maintains the same level of firearms proficiency as  
11          is required by the peace officer standards and training board for law enforcement  
12          officers. A local law enforcement agency shall issue a certificate of compliance  
13          under this section to an individual who is proficient.
- 14          3. This section does not prevent any political subdivision from enacting an ordinance  
15          ~~which that~~ is less restrictive than this section relating to the possession of firearms at a  
16          public gathering. ~~Such an~~An enacted ordinance supersedes this section within the  
17          jurisdiction of the political subdivision.