

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1195

Introduced by

Representatives Kiefert, Brabandt, K. Koppelman, Porter

Senators Armstrong, Carlisle, Dever, Erbele, Larsen, Luick, Miller, Wanzek

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 carrying of a firearm concealed in a school.

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

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

6 2. This section does not apply to:

7 a. A law enforcement officer;_

8 b. A member of the armed forces of the United States or national guard, organized
9 reserves, state defense forces, or state guard organizations, when on duty;_

10 c. A competitor participating in an organized sport shooting event;_

11 d. A gun or antique show;_

12 e. A participant using a blank cartridge firearm at a sporting or theatrical event;_

13 f. A firearm or dangerous weapon carried in a temporary residence or motor
14 vehicle;_

15 g. A student and an instructor at a hunter safety class;_

16 h. Private security personnel while on duty;_

17 i. A state or federal park;_

18 j. An instructor, a test administrator, an official, or a participant in educational,
19 training, cultural, or competitive events involving the authorized use of a
20 dangerous weapon if the event occurs with permission of the person or entity
21 with authority over the function or premises in question;_

22 k. An individual twenty-one years or older possessing a valid concealed weapons
23 license from this state is authorized to carry a firearm concealed on school
24 property, if the individual is on private school property and has the approval of the

1 private school to carry a firearm concealed or if the individual is on public school
2 property and has the approval of the public school to carry a firearm concealed.
3 The approval of a private or public school must provide for the individual to
4 cooperate in training with local law enforcement for school emergencies to
5 provide a coordinated plan of protection. The school shall require additional
6 training that emphasizes strategies for preventing school shootings and for
7 securing the safety of potential victims of school shootings; educates a trainee
8 about legal issues relating to the duties of peace officers and the use of force or
9 deadly force in the protection of others; introduces the trainee to effective law
10 enforcement strategies and techniques; improves the trainee's proficiency with a
11 handgun; and enables the trainee to respond to an emergency situation requiring
12 deadly force, including a situation involving an active shooter. The school shall
13 require an examination to determine whether the trainee is psychologically fit to
14 appropriately respond in an emergency shooting or situation involving an active
15 shooter. Approval for an individual to carry a firearm concealed under this
16 subdivision may be granted as part of a confidential security or emergency plan.
17 If any school authorizes an individual to carry a firearm concealed, the school
18 shall inform local law enforcement of the name of the authorized individual and
19 law enforcement must maintain that information as confidential. Any information
20 provided by the individual to the school as part of this authorization which is not
21 part of a public meeting and any information provided by the individual or the
22 school to local law enforcement may not be disclosed to the public by either the
23 school or local law enforcement and that information is exempt from section
24 44-04-18. The school is immune from civil liability for any acts or omissions made
25 while implementing this subsection.

- 26 I. An individual possessing a valid class 1 concealed weapons license from this
27 state or who has reciprocity under section 62.1-04-03.1 authorizing the individual
28 to carry a dangerous weapon concealed if the individual is in a church building or
29 other place of worship and has the approval to carry in the church building or
30 other place of worship by a primary religious leader of the church or other place
31 of worship or the governing body of the church or other place of worship. If a

1 church or other place of worship authorizes an individual to carry a concealed
2 weapon, local law enforcement must be informed of the name of the authorized
3 individual; ~~and~~
4 h.m. A municipal court judge, a district court judge, a staff member of the office of
5 attorney general, and a retired North Dakota law enforcement officer, if the
6 individual maintains the same level of firearms proficiency as is required by the
7 peace officer standards and training board for law enforcement officers. A local
8 law enforcement agency shall issue a certificate of compliance under this section
9 to an individual who is proficient.