

SENATE BILL NO. 2131

Introduced by

Senator O. Larsen

Representatives Becker, McWilliams, D. Ruby

1 A BILL for an Act to create and enact a new section to chapter 62.1-01 of the North Dakota
2 Century Code, relating to manufactured firearms, accessories, or ammunition.

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

4 **SECTION 1.** A new section to chapter 62.1-01 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Firearms - Manufacture - Prohibition.**

7 1. As used in this section:

8 a. "Firearm accessory" means an item used in conjunction with or mounted on a
9 firearm but is not essential to the basic function of a firearm, including telescopic
10 or laser sights, magazines, flash or sound suppressors, folding or aftermarket
11 stocks and grips, speedloaders, ammunition carriers, and lights for target
12 illumination.

13 b. "Generic and insignificant parts" includes springs, screws, nuts, and pins.

14 c. "Manufactured" means a firearm, firearm accessory, or ammunition created from
15 basic materials for functional usefulness, including casting, machining, or other
16 processes for working materials.

17 2. A personal firearm, firearm accessory, or ammunition manufactured commercially or
18 privately in the state and which remains within the state is not subject to federal law or
19 federal regulation, including registration. This section applies to a firearm, firearm
20 accessory, or ammunition manufactured in the state from basic materials and which
21 can be manufactured without the inclusion of any significant parts imported from
22 another state.

23 3. Generic and insignificant parts that have other manufacturing or consumer product
24 applications are not firearms, firearm accessories, or ammunition, and importation into

- 1 the state and incorporation into a firearm, firearm accessory, or ammunition
2 manufactured in the state does not subject the firearm, firearm accessory, or
3 ammunition to federal regulation. Unmachined steel and unshaped wood are not
4 firearms, firearm accessories, or ammunition and are not subject to congressional
5 authority to regulate firearms, firearm accessories, or ammunition under interstate
6 commerce. The authority of congress to regulate basic materials does not include
7 authority to regulate firearms, firearms accessories, and ammunition made in the state
8 from those materials.
- 9 4. Firearm accessories imported into the state from another state, which are subject to
10 federal regulation as being in interstate commerce, do not subject a firearm to federal
11 regulation.
- 12 5. This section does not apply to:
- 13 a. A firearm that cannot be carried or used by one person;
14 b. A firearm that has a bore diameter greater than one and one-half inches
15 [3.81 centimeters] and uses smokeless powder rather than black powder as a
16 propellant.
- 17 c. Ammunition with a projectile that explodes using an explosion of chemical energy
18 after the projectile leaves the firearm; or
- 19 d. A firearm that discharges two or more projectiles with one activation of the trigger
20 or other firing device.
- 21 6. A firearm manufactured or sold in the state under this section must have the words
22 "Made in North Dakota" clearly stamped on the receiver or frame.