

HOUSE BILL NO. 1479

Introduced by

Representatives Cory, Christensen, Dyk, Koppelman, M. Ruby

Senators Boehm, Clemens, Larsen, Luick, Magrum, Paulson

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 restrictions on the possession, use, and manufacture of knives; and to
3 amend and reenact subsection 1 of section 62.1-01-01 of the North Dakota Century Code,
4 relating to the definition of dangerous weapon.

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

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

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

1 **SECTION 2.** A new section to chapter 62.1-01 of the North Dakota Century Code is created
2 and enacted as follows:

3 **Limitation on authority of political subdivision regarding knives.**

- 4 1. As used in this section "knife" means a cutting instrument with a sharpened or pointed
5 blade.
- 6 2. A political subdivision may not enact any ordinance, rule, or tax relating to the
7 transportation, possession, carry, sale, transfer, purchase, gift, devise, licensure,
8 registration, or use of a knife or knifemaking components. All such existing rules or
9 ordinances are void.
- 10 3. A political subdivision may not enact any rule or ordinance relating to the manufacture
11 of a knife which is more restrictive than any rule or ordinance relating to the
12 manufacture of any other commercial good. All such existing rules or ordinances are
13 void.