

WEAPONS

CHAPTER 689

SENATE BILL NO. 2267
(Olson)

PISTOL POSSESSION

AN ACT to amend and reenact sections 62-01-04 and 62-01-20 of the North Dakota Century Code, relating to persons prohibited from possessing pistols; and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 62-01-04 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

62-01-04. Who not to possess pistols - Penalty. The following persons ~~shall~~ may not own a pistol or have one in their possession or under their control:

1. A person who has been convicted anywhere within the last ten years of any of the crimes of murder, manslaughter, robbery, burglary, kidnapping, arson, extortion, mayhem, forcible rape, unlawful entry, and any assault except simple assault and battery a felony or any other crime involving the use of or possession of a pistol.
2. A person who is under the age of seventeen years ~~or who is a drug addict, an alcoholic, or who is emotionally unstable.~~

A person who violates subsection 1 is guilty of a class C felony, and a person who violates subsection 2 is guilty of a class A misdemeanor.

SECTION 2. AMENDMENT. Section 62-01-20 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

62-01-20. ~~Penalties~~ General penalty. Any person who ~~shall violate~~ violates any provision of this chapter, for which another penalty is not specifically provided, ~~shall be is~~ is guilty of a class ~~E felony~~ A misdemeanor.

Approved April 8, 1983

CHAPTER 690

HOUSE BILL NO. 1143
(Committee on Judiciary)
(At the request of the Attorney General)

PISTOL IN GAMING SITE

AN ACT to amend and reenact section 62-01-04.1 of the North Dakota Century Code, relating to the prohibition of pistols in liquor establishments and gaming sites.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 62-01-04.1 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

62-01-04.1. Pistols prohibited in liquor establishments and gaming sites - Exceptions - Penalty. Any person, other than a law enforcement officer or the proprietor, who enters or remains in an establishment engaged in the retail sale of alcoholic beverages or used as a gaming site while in the possession of a pistol is guilty of a class A misdemeanor.

Approved March 15, 1983

CHAPTER 691

HOUSE BILL NO. 1164 .
(Committee on Judiciary)
(At the request of the Attorney General)

WEAPON FORFEITURE UPON CONVICTION OF CRIME

AN ACT to amend and reenact section 62-04-04 of the North Dakota Century Code, relating to the disposition of weapons taken or found on persons arrested.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 62-04-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

62-04-04. Forfeiture of weapons by person arrested and convicted of crime. When any firearm or sharp or dangerous weapon which is usually used for attack is found on any person who is arrested and convicted of a felony or misdemeanor, such firearm or weapon shall be seized and, upon motion, forfeited to the state jurisdiction in which the arrest was made, and said weapon may be, pursuant to court order, sold at public auction, retained for use, or destroyed by the agency which made the arrest.

Approved March 3, 1983

CHAPTER 692

HOUSE BILL NO. 1445
(Representative Serenus Hoffner)
(Senator Barth)

REGULATION OF FIREARMS

AN ACT to create and enact a new section to chapter 62-04 of the North Dakota Century Code, relating to regulation of firearms and ammunition.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. A new section to chapter 62-04 of the North Dakota Century Code is hereby created and enacted to read as follows:

Limitation on authority of political subdivision regarding firearms. No political subdivision, including home rule cities or counties, may enact any ordinance relating to the purchase, sale, ownership, transfer of ownership, registration, and licensing of firearms and ammunition which is more restrictive than state law. All such existing ordinances are null and void.

Approved April 5, 1983