

**Sixty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 7, 2025**

HOUSE BILL NO. 1589
(Representatives Heinert, Dockter, Hagert, Hauck, Headland, Novak, M. Ruby)
(Senators Cory, Gerhardt)

AN ACT to create and enact a new section to chapter 62.1-01 of the North Dakota Century Code, relating to law enforcement agency and concealed weapon test administrator certifications and firearm proficiency qualification course records; and to amend and reenact subsection 7 of section 62.1-01-01 of the North Dakota Century Code, relating to standards for qualification in firearms training for retired officers.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

7. "Law enforcement officer" means:
- a. A public servant authorized by law or by a government agency or branch to enforce the law and to conduct or engage in investigations or prosecutions for violations of law; or
 - b. A retired public servant in good standing who:
 - (1) Was authorized by law or by a government agency or branch for at least ten years to enforce the law and to conduct or engage in investigations or prosecutions for violations of law or who was separated from service due to a service-related physical disability;
 - (2) Maintains the ~~same~~;
 - a. Same level of firearms proficiency as is required by the peace officers standards and training board for law enforcement officers, maintains the standards for qualifications in firearms training for active law enforcement officers as determined by the former agency of the individual in the state in which the individual resides, or maintains the standards;
 - b. Standards used by a certified firearms instructor qualified to conduct a firearms qualification test for active duty officers in the state in which the individual resides; or
 - c. Standards for qualification in firearms training as determined by the attorney general used by a certified concealed weapon test administrator qualified to conduct a firearms qualification test by the attorney general for retired officers in the state or out-of-state;
 - (3) Has a photo identification card issued by a local law enforcement agency which identifies the individual as having been employed by a government agency or branch as a law enforcement officer and indicates the individual has passed the firearms proficiency test within twelve months from the date of issue; and
 - (4) Has not been found by a qualified medical professional to be unqualified for reasons relating to mental health or entered an agreement with a government agency or branch in which the public servant acknowledges a lack of qualifications for reasons relating to the mental health of the public servant.

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

Law enforcement agency and concealed weapons test administrator certification - Records.

1. A law enforcement agency or a concealed weapon test administrator may certify an individual has maintained the qualifications under section 62.1-01-01, but may not qualify an individual to carry a concealed firearm under the Law Enforcement Officer's Safety Act Improvement Act of 2010 [Pub. L. 111-272].
2. A law enforcement agency and a concealed weapon test administrator shall forward to the peace officer standards and training board a record of all individuals who have successfully completed a proficiency qualification course.

Roli Weisig
Speaker of the House

Michael A. Strindberg
President of the Senate

Buell J. Reich
Chief Clerk of the House

Chander Mogn
Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-ninth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1589.

House Vote: Yeas 91 Nays 0 Absent 3

Senate Vote: Yeas 46 Nays 0 Absent 1

Buell J. Reich
Chief Clerk of the House

Received by the Governor at 10:38 A.M. on March 25th, 2025.

Approved at 1:16 P.M. on March 26th, 2025.

[Signature]
Governor

Filed in this office this 27th day of March, 2025,

at 2:28 o'clock P M.

Michael Horne
Secretary of State