

HOUSE BILL NO. 1391

Introduced by

Representatives Simons, Rick C. Becker, Ertelt, Johnston, Jones, B. Koppelman,
McWilliams, Olson, Toman

Senator Kannianen

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, and 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. A personal firearm, firearm accessory, or ammunition manufactured commercially or
8 privately in the state and which remains within the state is not subject to federal law or
9 federal regulation, including registration as those items are not subject to regulations
10 related to interstate commerce. This section applies to a firearm, firearm accessory, or
11 ammunition manufactured in the state from basic materials and which can be
12 manufactured without the inclusion of any significant parts imported from another
13 state.

14 2. Generic and insignificant parts that have other manufacturing or consumer product
15 applications are not firearms, firearms accessories, or ammunition, and importation
16 into the state and incorporation into a firearm, firearm accessory, or ammunition
17 manufactured in the state does not subject the firearm, firearm accessory, or
18 ammunition to federal regulation. Unmachined steel and unshaped wood are not
19 firearms, firearms accessories, or ammunition and are not subject to congressional
20 authority to regulate firearms, firearms accessories, and ammunition under interstate
21 commerce. The authority of congress to regulate basic materials does not include
22 authority to regulate firearms, firearms accessories, and ammunition made in the state
23 from those materials.

- 1 3. Firearms accessories imported into the state from another state and which are subject
- 2 to federal regulation as being in interstate commerce do not subject a firearm to
- 3 federal regulation under interstate commerce because the accessories are attached to
- 4 or used with a firearm in the state.