

pursuant to the court's order. If a qualified local program as defined under section 12.1-32-02.2 has paid a reward for information that resulted in forfeiture of the item and the item has been sold, the jurisdiction shall, after payment of expenses for forfeiture and sale, repay the qualified local program for the reward that it has paid.

62.1-05-02. Persons exempt from chapter. This chapter does not apply to:

1. The authorized agent and a servant of a person who has a license to purchase, sell,

have, or possess a machine gun, submachine gun, fully automatic rifle, silencer, or a bomb loaded with explosives or poisonous or dangerous gases.

2. Any officer or member of a duly authorized military organization while on official duty and using the firearm or dangerous weapon issued to the officer or member by that organization.

3. A North Dakota law enforcement officer.

4. Any federal officer authorized by the federal government to have or possess a machine gun,

submachine gun, fully automatic rifle, silencer, or bomb loaded with explosives or poisonous or dangerous gases.

[Current through 1999 Legislative Session]

Publisher's Note: Fargo requires a local license and recordkeeping to sell firearms.

NORTHERN MARIANA ISLANDS N. MAR. I. CODE

Title 6, Chapter 2. Commonwealth Weapons Control Act

2201. Short title. This Chapter may be cited as the "Commonwealth Weapons Control Act."

2202. Manufacture, sale or possession of firearms and dangerous devices. No person may manufacture, purchase, sell, possess or carry any firearm, dangerous device or ammunition other than as provided in this chapter.

2203. Exemptions from provisions of this chapter. This chapter shall not apply to:

(a) Law enforcement officers while engaged in official duty except to the extent that particular provisions are expressly made applicable to them.

(b) Firearms which are in unserviceable condition and which are incapable of being fired or discharged and which are kept as curios, ornaments or for their historical significance or value.

(c) Weapons or other dangerous devices which are not firearms and which are kept as ornaments, curios, or objects of historical or archeological interest; provided, that the article or articles are kept or displayed only in private homes, museums, or in connection with public exhibitions.

(d) Persons in the armed forces of the United States, whenever such persons are engaged in official duty except to the extent that particular provisions of this chapter are expressly made applicable to them.

(e) Owners, employees, and patrons of shooting galleries, while on the premises of the gallery and engaged in target shooting. This exemption shall not apply to Sections 2222, 2227 and 2230 of this chapter. It is unlawful for an owner or employee of a shooting gallery to sell or otherwise transfer a weapon to another person other than for the temporary purpose of engaging in target shooting.

(f) Parole officers while engaged in official duty except to the extent that particular provisions are expressly made applicable to them. Parole officers shall comply with all laws and regulations applicable to Department of Public Safety law enforcement officers relating to the training, carrying, and use of firearms.

2204. Identification cards.

(a) No person may acquire or possess any firearm, dangerous device or ammunition unless the person holds an identification card issued pursuant to this chapter. The identification card is evidence of the holder's eligibility to possess and use or carry firearms, dangerous devices, or ammunition.

(b) Identification cards are issued only by the Department of Public Safety pursuant to regulations made by the Department of Public Safety in the manner which is or may be provided by law. The identification card shall have on its face all of the following:

2205. Identification card prerequisite to purchase, possession, and use:

(a) No person may purchase, possess or use a firearm, dangerous device, or ammunition unless he is the holder of an identification card issued pursuant to this Chapter evidencing the eligibility of such person to purchase, possess and use a firearm, dangerous device, or ammunition. Such person shall be at least 21 years of age....

2207. New residents, temporary residents and visitors to the Commonwealth. Visitors, new residents, and temporary residents in the Commonwealth may not import, transport, purchase, use or possess any firearm, dangerous device or ammunition in the Commonwealth without an identification card issued pursuant to this chapter. Any person who possesses any firearm, dangerous device, or ammunition shall, before or immediately upon his entrance into the Commonwealth, turn it in to the Department of Public Safety or the chief of police. The firearm, dangerous device, or ammunition shall be returned to the person upon his or her being issued an identification card pursuant to the provisions of this chapter or upon his departure from the Commonwealth.

2208. Law enforcement officers.

(a) Possession, use and carriage of firearms, ammunition and dangerous devices by law enforcement officers derives from the laws governing the powers, functions, and organization of the police and other organized forces of peace officers. Eligibility of law enforcement officers to possess, use and carry firearms, ammunition or dangerous devices while on duty is not subject to the holding of identification cards or any other qualifications prescribed in this chapter or in regulations pursuant thereto.

(b) Transfer of any firearm from or to a law enforcement officer or agency shall, except as provided in subsection (a) of this section, be subject to the provisions of this chapter and regulations made pursuant thereto.

(c) The head of a law enforcement agency of the Commonwealth shall furnish to the Department of Public Safety the names, ranks and badge numbers or similar identification of each person on his force who is authorized to possess, use and carry firearms in the course of official duty. Upon the occurrence of any changes in personnel to whom this subsection applies, the head of the law enforcement agency shall inform the Department of Public Safety.

(d) Whenever a law enforcement officer is not engaged in official duties, this chapter shall be applicable to him in the same manner and to the same extent as to any other person.

2209. License for transfer.

(a) No dealer, manufacturer or wholesaler may transfer firearms, dangerous devices or ammunition except pursuant to a license as provided in this section.

(b) Any person, firm, corporation, or other entity proposing to engage in the business of selling firearms, ammunition, and dangerous devices at retail may apply for a dealer's license. The application shall be on a form approved by the Department of public safety.

2210. Licenses for transfer: Issuance and renewal of dealer's license.

(a) Upon receipt of a proper application and payment of the prescribed fee, the Department of Public Safety shall within 60 days issue a dealer's license to an applicant, if the applicant is found to be eligible for it pursuant to this chapter and any applicable regulations of the Department of Public Safety. The regulations shall place a reasonable limit on the number of dealers. The license shall list the types of firearms, ammunition, and dangerous devices which the dealer is authorized to offer for sale.

(b) A license issued pursuant to this section is valid for one year from the date of its issuance, unless sooner canceled, suspended or revoked. A license shall bear its expiration date on its face.

(c) A license issued pursuant to this section may be renewed annually upon application by the holder made on a form approved by the Department of Public Safety. Eligibility for renewal shall be the same terms and conditions as for an original license, except that renewal also may be denied on account of a violation of this chapter or regulations of the Department of Public Safety made pursuant thereto or for any conduct in the operation of the applicant's business which gives the Department of Public Safety grounds to believe that the applicant will no longer operate in a manner consonant with the public safety.

2211. License for transfer: Display: Conduct of dealer's business. The holder of a dealer's license shall:

(a) Display his or her license in a conspicuous place at all times at the establishment described in the license. If a dealer has more than one place of business at which firearms, dangerous devices or ammunition are sold, the dealer shall display in the same manner a certified copy of the license at each additional place of business.

(b) Keep the records and file the reports required by this chapter and regulations made pursuant thereto.

(c) Display no firearms, dangerous devices, or ammunition in any place where they can be seen from outside the premises.

(d) Keep all firearms, dangerous devices and ammunition in a securely locked place at all times except when they are actually being shown to a customer or prospective customer or when actually being repaired or otherwise worked on.

(e) Permit only employees who are holder of identification cards making the eligible to pur-

chase, possess and use firearms, dangerous devices or ammunition to have access to firearms, dangerous devices or ammunition.

2217. Manufacturers and wholesalers.

(a) No person shall manufacture or deal in firearms, dangerous devices or ammunition at wholesale unless the person is the holder of:

(1) A dealer's license issued pursuant to section 2210; or

(2) A license issued pursuant to this section.

(b) Any person proposing to manufacture or deal at wholesale in firearms, dangerous devices or ammunition, who is not the holder of a dealer's license, may make application for a manufacturer's or wholesaler's license. The application shall contain the same information required for a dealer's license, and any additional information required by the Department of Public Safety as may be appropriate to administer this chapter. No manufacturer's license or wholesaler's license may authorize transfer or delivery within the Commonwealth except to a licensed dealer, manufacturer or wholesaler or to a political subdivision of the Commonwealth or, subject to applicable laws of the Commonwealth, for export.

(c) The Department of Public Safety shall issue, renew, cancel, deny, suspend or revoke manufacturer's and wholesaler's licenses on the same terms and subject to the same conditions as provided for dealer's licenses.

(d) Every manufacturer shall assign a unique serial number to each firearm manufactured and shall inscribe the number in or on the firearm in a manner that will resist removal, alteration, defacement or obliteration. The Department of Public Safety may make regulations for the style of the serial numbers and for the manner of the inscription.

2219. Cancellation, denial, suspension and revocation of licenses.

(a) Any license issued pursuant to this chapter shall be surrendered for cancellation immediately on the discontinuance or termination of business or upon the holder's discontinuing the manufacturing, selling, acquisition for sale or repair of firearms and the sale of ammunition.

(b) The issuing officer or agency may deny, suspend or revoke an identification card or a license issued pursuant to this chapter for failure of the applicant or holder to meet or continue to meet any of the requirements for eligibility therefore, or for any violation of this chapter or regulations in force pursuant to it.

2220. Shipment and delivery of firearms, dangerous devices, and ammunition.

(a) No person may ship, transport or deliver any firearm, dangerous device or ammunition to anyone other than a licensed manufacturer, wholesaler, dealer, or person who possesses a valid identification card.

(b) Any person who ship, transports or delivers firearms or dangerous devices to a manufacturer, wholesaler, dealer or person possessing an identification card in the Commonwealth shall, before delivery, furnish to the Department of Public Safety an invoice listing the person's name and address, the name and address of the manufacturer, wholesaler, dealer or person possessing the identification card to whom the firearms or dangerous devices are to be delivered, the place of origin of the shipment, the number of firearms and dangerous devices of each type and the manufacturer and serial number of each firearm and dangerous device in the shipment.

(c) Any person who ships, transports or delivers ammunition to a manufacturer, wholesaler, dealer or person possessing an identification card in the Commonwealth shall, before delivery, furnish to the Department of Public Safety an invoice listing the person's name and address, the name and address of the manufacturer, wholesaler, dealer or person possessing the identification card to whom the ammunition is to be delivered, the place of origin of the shipment and the quantity of ammunition to each type in the shipment.

2222. Prohibited Acts.

(a) Knowingly remove, obliterate or alter the importer's or manufacturer's serial number of any firearm.

(b) Knowingly deface, alter or destroy an identification card.

(c) Acquire, possess or use any firearm silencer or muffler.

(d) Carry any gun or dangerous device while under the influence of alcohol or narcotic or other disabling drug.

(e) Import, sell, transfer, give away, purchase, possess or use any handgun, automatic weapon or ammunition other than:

(I) All .22 caliber rimfire cartridges and all regular .22 caliber rimfire cartridges.

(II) All .22 caliber centerfire cartridges and .22 caliber rifles.

(III) All .223 caliber centerfire cartridges and .223 caliber centerfire rifles. These require a special weapons identification card.

(IV) All .410 gauge shotgun shells and .410 gauge shotguns.

These firearms and ammunition are as defined by the Gun Data Book published by Harper and Row and the NRA Firearms Book published

by the National Rifle Association of America. This section is subject to the law enforcement exemption provided at section 2201(a)(3) of this title.

(f) Import, sell, transfer, give away, purchase, possess or use any explosives, ammunition or other projectiles other than those in subsection (e) of this section. This section is subject to the law enforcement exemption provided at section 2301(a)(4) of this title.

2225. Registration of weapons possessed on effective date of chapter.

(a) Any person having in his possession a firearm or dangerous device on the effective date of this chapter shall, within 90 days of the effective date, furnish on a form approved by the office of the Department of Public Safety to the agency or officer authorized to receive information concerning the transfer of firearms or dangerous devices pursuant to this chapter, equivalent information concerning any firearm or dangerous device in his or her possession.

2227. Local laws. Nothing in this chapter shall be deemed to prevent any local government from further restricting, by local law or ordinance, the transfer, possession, use or carriage of firearms, ammunition or dangerous devices. This chapter shall supersede all district laws and municipal ordinances in conflict with this chapter....

2228. Authority of the Department of Public Safety to promulgate regulations. The Department of Public Safety may issue, amend and repeal regulations implementing this chapter in the manner which is or may be provided by law, as may be required by the public interest, safety and welfare.

2229. Fees for licensing and identification cards. The fees for issuance and renewal of annual licenses and identification cards as required by this chapter shall be as follows:

(a) For the identification card, \$25;

(b) For a dealer's license, \$300;

(c) For a manufacturer's license, \$1,000;

(d) For a wholesaler's license, \$1,000;

(e) For replacement of lost, destroyed, or defaced identification card, \$10....

2230. Penalties.

(b) ...The holder of any dealer's license or the manager or supervisor of employees of any establishment so licensed, or both, shall be liable for any violation of this chapter by his or her employee or agent committed in the course of the dealer's business, to the same extent as such employee or agent.

OHIO
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Title 29. Crimes - Procedure

Chapter 2923. Conspiracy, Attempt, and Complicity; Weapons Control; Corrupt Activity

Weapons Control

2923.11. Definitions. As used in sections 2923.11 to 2923.24 of the Revised Code:

(A) "**Deadly weapon**" means any instrument, device, or thing capable of inflicting death, and designed or specially adapted for use as a weapon, or possessed, carried, or used as a weapon.

(B)(1) "**Firearm**" means any deadly weapon capable of expelling or propelling one or more projectiles by the action of an explosive or combustible propellant. "Firearm" includes an unloaded firearm, and any firearm that is inoperable but that can readily be rendered operable.

(2) When determining whether a firearm is capable of expelling or propelling one or more projectiles by the action of an explosive or combustible propellant, the trier of fact may rely upon circumstantial evidence, including, but not limited to, the representations and actions of the individual exercising control over the firearm.

(C) "**Handgun**" means any firearm designed to be fired while being held in one hand.

(D) "**Semi-automatic firearm**" means any firearm designed or specially adapted to fire a single cartridge and automatically chamber a succeeding cartridge ready to fire, with a single function of the trigger.

(E) "**Automatic firearm**" means any firearm designed or specially adapted to fire a succession of cartridges with a single function of the trigger. "Automatic firearm" also means any semi-automatic firearm designed or specially adapted to fire more than thirty-one cartridges without reloading, other than a firearm chambering only .22 caliber short, long, or long-rifle cartridges.

(F) "**Sawed-off firearm**" means a shotgun with a barrel less than eighteen inches long, or a