

# “State Restrictions on Magazines, Chemical Sprays and Stun Guns”

**Note:** More Information can be found on each states page at [www.handgunlaw.us](http://www.handgunlaw.us) on state restrictions on Magazines, Chem Sprays and Stun Guns. Handgunlaw.us recommends you check out each states page you want more information about.

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**[Magazine Restrictions](#)**

**[Stun Gun Restrictions](#)**

**[Chemical Spray Restrictions](#)**

## High Capacity Magazines Banned or Restricted

**If state is not listed then higher capacity magazines are legal.**

**California**

**Large Capacity Magazines**

**Note:** 12/1/2021 [US Court of Appeals 9th District Reinstates California Ban On Hi-Cap Mags](#)

**PC 16740.** As used in this part, “large-capacity magazine” means any ammunition feeding device with the capacity to accept more than 10 rounds, but shall not be construed to include any of the following:

- (a) A feeding device that has been permanently altered so that it cannot accommodate more than 10 rounds.
- (b) A .22 caliber tube ammunition feeding device.
- (c) A tubular magazine that is contained in a lever-action firearm. 2012, by Sec. 10 of Ch. 711.)

**PC 32310.**

(a) Except as provided in Article 2 (commencing with Section 32400) of this chapter and in Chapter 1 (commencing with Section 17700) of Division 2 of Title 2, any person in this state who manufactures or causes to be manufactured, imports into the state, keeps for sale, or offers or exposes for sale, or who gives, lends, buys, or receives any large-capacity magazine is punishable by imprisonment in a county jail not exceeding one year or imprisonment pursuant to subdivision (h) of Section 1170.

(b) For purposes of this section, “manufacturing” includes both fabricating a magazine and assembling a magazine from a combination of parts, including, but not limited to, the body, spring, follower, and floor plate or end plate, to be a fully functioning large-capacity magazine.

(c) Except as provided in Article 2 (commencing with Section 32400) of this chapter and in Chapter 1 (commencing with Section 17700) of Division 2 of Title 2, commencing July 1, 2017, any person in this state who possesses any large-capacity magazine, regardless of the date the magazine was acquired, is guilty of an infraction punishable by a fine not to exceed one hundred dollars (\$100) per large-capacity magazine, or is guilty of a misdemeanor punishable by a fine not to exceed one hundred dollars (\$100) per large-capacity magazine, by imprisonment in a county jail not to exceed one year, or by both that fine and imprisonment.

(d) Any person who may not lawfully possess a large-capacity magazine commencing July 1, 2017 shall, prior to July 1, 2017:

- (1) Remove the large-capacity magazine from the state.
- (2) Prior to July 1, 2017, sell the large-capacity magazine to a licensed firearms dealer.
- (3) Surrender the large-capacity magazine to a law enforcement agency for destruction.

(Amended November 8, 2016, by initiative Proposition 63, Sec. 6.1.)

## **San Francisco Bullet Ban**

### **Police Code Article 9 Prohibited Ammunition**

**Section 618** (a) **Definition.** For purposes of this Section, "Prohibited Ammunition" shall mean:

- (1) Ammunition sold under the brand name "Winchester Black Talon," or that has physical properties resulting in ballistics performance identical to ammunition presently or formerly sold under the brand name Winchester Black Talon; or,
- (2) Ammunition designated by its manufacturer for purchase by law enforcement or military agencies only, unless other ammunition is available to the general public that has physical properties resulting in ballistics performance identical to such ammunition.

(c) **Sale or Transfer.** No business licensed as a firearm dealer under this Article may sell, lease or otherwise transfer Prohibited Ammunition except to law enforcement and military agencies.

(d) **Police Database.** The San Francisco Police Department shall prepare or cause to be prepared a public database of brands and product lines of ammunition meeting the definition of "Prohibited Ammunition" in subsection (a). Failure of the Police Department to create or maintain such a database, or the omission from the database of a particular brand or product line of ammunition otherwise qualifying as "Prohibited Ammunition," under subsection (a), shall not be a defense to or otherwise excuse a violation of this Section.

(e) **Penalty.** Violation of any of the provisions of this Section is a misdemeanor and upon conviction the violator may be punished by a fine not to exceed \$1,000.00 or by imprisonment in the county jail not to exceed six months, or by both. File No. 130585, App. 11/8/2013, Eff. 12/8/2013)

**Note:** The San Francisco PD stated to the NRA that this ban only covered "Black Talon" ammunition and no other hollowpoint ammunition. Black Talon has been out of production for years. Use Caution. The U.S. 9<sup>th</sup> Circuit Court ruled on 3/25/14 that SF could require firearms to be secured in the home at all times. Either on your person or locked up. The decision also stated more than once that SF only banned the "Selling" of HP ammo in SF and not the possession. The case was not about HP ammo but about securing your firearm in your home. With this ruling no one is sure if it overturned SF ban on possession of HP Ammo. You can read the decision [Here](#).

### **Police Code Article 9 Sec. 619**

(b) **Definition.** "Large capacity magazine" means any detachable ammunition feeding device with the capacity to accept more than 10 rounds, but shall not be construed to include any of the following:

- (1) A feeding device that has been permanently altered so that it cannot accommodate more than 10 rounds;
- (2) A .22 caliber tube ammunition feeding device; or
- (3) A tubular magazine that is contained in a lever-action firearm.

(c) **Prohibition on Possession of Large Capacity Magazines.**

(1) No person, corporation, or other entity in the City may possess a large capacity magazine, whether assembled or disassembled.

(2) Any person who, prior to the effective date of this chapter, was legally in possession of a large capacity magazine shall have 90 days from such effective date to do any of the following without being subject to prosecution:

(A) Remove the large capacity magazine from the city;

(B) Surrender the large capacity magazine to the Police Department for destruction; or

(C) Sell or transfer the large capacity magazine lawfully in accordance with Penal Code 12020.

File No. 130585, App. 11/8/2013

### **City of Sunnyvale (Magazine Ban)**

#### **9.44.050. Possession of large-capacity ammunition magazines prohibited.**

(a) No person may possess a large-capacity magazine in the City of Sunnyvale whether assembled or disassembled. For purposes of this section, "large-capacity magazine" means any detachable ammunition feeding device with the capacity to accept more than ten (10) rounds, but shall not be construed to include any of the following:

(1) A feeding device that has been permanently altered so that it cannot accommodate more than ten (10) rounds; or

(2) A .22 caliber tubular ammunition feeding device; or

(3) A tubular magazine that is contained in a lever-action firearm. (Ord. 3027-13 § 1).

**Note:** Both the San Francisco and Sunnyvale have had lawsuits filed against these bans. Other cities in California may have such bans. Use Caution.

**Note:** The 9<sup>th</sup> Federal Court upheld Sunnyvale's magazine ban. That ban is worded very similar to San Francisco's magazine ban. (3/2015)

### **Oakland Magazine Ban**

#### **9.38.030 C. Definitions.**

"Large-capacity magazine" means any detachable ammunition feeding device with the capacity to accept more than 10 rounds, but shall not be construed to include any of the following:

1. A feeding device that has been permanently altered so that it cannot accommodate more than 10 rounds;

2. A .22 caliber tube ammunition feeding device;

3. A tubular magazine that is contained in a lever-action firearm. (Ord. No. 13352, § 1(C), 1-19-2016)

#### **9.38.040 Possession of Large-Capacity Magazines Prohibited.**

A. It is unlawful for any person to possess any large-capacity magazine, except as otherwise authorized by law, whether assembled or disassembled.

B. Any person who, prior to the effective date of this article, was legally in possession of a large-capacity magazine shall have 90 days from such effective date to do any of the following without being subject to prosecution:

1. Remove the large-capacity magazine from the City of Oakland;

2. Surrender the large-capacity magazine to the Oakland Police Department for destruction;
3. Sell or transfer the large-capacity magazine lawfully in accordance with Section 32410 of the California Penal Code. (Ord. No. 13352, § 1(D), 1-19-2016)

## Colorado

## Hi Cap Ammo Magazines

### **18-12-301. Definitions. As Used In This Part 3, Unless the Context Otherwise Requires:**

- (1) "Bureau" means the Colorado Bureau of Investigation created and existing pursuant to section 24-33.5-401, C.R.S.
- (2) (a) "large-capacity magazine means:
  - (I) a fixed or detachable magazine, box, drum, feed strip, or similar device capable of accepting, or that is designed to be readily converted to accept, more than fifteen rounds of ammunition;
  - (II) a fixed, tubular shotgun magazine that holds more than twenty-eight inches of shotgun shells including any extension device that is attached to the magazine and holds additional shotgun shells; or
  - (III) a nontubular, detachable magazine, box, drum, feed strip, or similar device that is capable of accepting more than eight shotgun shells when combined with a fixed magazine.
- (b) "large-capacity magazine" does not mean:
  - (I) a feeding device that has been permanently altered so that it cannot accommodate more than fifteen rounds of ammunition;
  - (II) an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition; or
  - (III) a tubular magazine that is contained in a lever-action firearm.

L. 2013: Entire part added, (HB 13-1224), ch. 48, p. 144, Section 1, effective July 1.

### **18-12-302. Large-Capacity Magazines Prohibited - Penalties - Exceptions.**

- (1) (a) except as otherwise provided in this section, **on and after July 1,2013, a person who sells, transfers, or possesses a large-capacity magazine commits a class 2 misdemeanor.**
  - (b) repealed
  - (c) any person who violates subsection (1) of this section commits a class 6 felony if the person possessed a large-capacity magazine during the commission of a felony or any crime of violence, as defined in section 18-1.3-406.
- (2) (a) a person may possess a large-capacity magazine if he or she:
  - (I) Owns the large-capacity magazine on July 1, 2013; and
  - (II) maintains continuous possession of the large-capacity magazine.
- (b) if a person who is alleged to have violated subsection (1) of this section asserts that he or she is permitted to legally possess a large-capacity magazine pursuant to paragraph (a) of this subsection (2), the prosecution has the burden of proof to refute the assertion.

Ch. 462,§ 351

The Colorado Attorney General has put out a “Guidance Letter” for the Dept. of Public Safety on implementation of the Magazine Ban as requested by the Governor. You can read that letter [Here](#). A previous letter on Technical Guidance and more information can be viewed [Here](#).

## **Denver Colorado Ordinance**

### **Sec. 38-116. - Assault Weapons.**

(1) Assault weapon shall include all firearms with any of the following characteristics:

- a. Any semiautomatic pistol or centerfire rifle, either of which have a fixed or detachable magazine with a capacity of more than fifteen (15) rounds.
  - b. Any semiautomatic shotgun with a folding stock or a magazine capacity of more than six (6) rounds or both.
  - c. Any part or combination of parts designed or intended to convert a firearm into an assault weapon, including a detachable magazine with a capacity of twenty-one (15) or more rounds, or any combination of parts from which an assault weapon may be readily assembled if those parts are in the possession or under the control of the same person
  - d. Any firearm which has been modified to be operable as an assault weapon as defined herein.
- (Ord. No. 1493-21, § 4, 1-3-22; Ord. No. 401-22, § 1, 5-16-22)

## **Vail Colorado Ordinance**

**6-3H-9: Magazine Capacity:** It shall be unlawful to carry, store or otherwise possess a magazine which will hold or may be modified to hold twenty-one (21) or more rounds. (Ord. 15(1994) § 1)

**Note:** Lawsuits have already been filed (5/2018) on the new Boulder Ordinance.

## **Connecticut**

## **Higher Capacity Magazines**

### **Higher Capacity Magazine Laws:**

**Title 53: Chpt. 943 Sec. 53-202w. Large capacity magazines. Definitions. Sale, transfer or possession prohibited. Exceptions.**

**(a) As used in this section and section 53-202x:**

- (1) “Large capacity magazine” means any firearm magazine, belt, drum, feed strip or similar device that has the capacity of, or can be readily restored or converted to accept, more than ten rounds of ammunition, but does not include: (A) A feeding device that has been permanently altered so that it cannot accommodate more than ten rounds of ammunition, (B) a .22 caliber tube ammunition feeding device, (C) a tubular magazine that is contained in a lever-action firearm, or (D) a magazine that is permanently inoperable;
- (2) “Lawfully possesses”, with respect to a large capacity magazine, means that a person has (A) actual and lawful possession of the large capacity magazine, (B) constructive possession of the large capacity magazine pursuant to a lawful purchase of a firearm that contains a large capacity magazine that was transacted prior to or on April 4, 2013, regardless of whether the firearm was delivered to the purchaser prior to or on April 4, 2013, which lawful purchase is evidenced by a writing sufficient to indicate that (i) a contract for sale

was made between the parties prior to or on April 4, 2013, for the purchase of the firearm, or (ii) full or partial payment for the firearm was made by the purchaser to the seller of the firearm prior to or on April 4, 2013, or (C) actual possession under subparagraph (A) of this subdivision, or constructive possession under subparagraph (B) of this subdivision, as evidenced by a written statement made under penalty of false statement on such form as the Commissioner of Emergency Services and Public Protection prescribes; and

(b) Except as provided in this section, on and after April 5, 2013, any person who, within this state, distributes, imports into this state, keeps for sale, offers or exposes for sale, or purchases a large capacity magazine shall be guilty of a class D felony. On and after April 5, 2013, any person who, within this state, transfers a large capacity magazine, except as provided in subsection (f) of this section, shall be guilty of a class D felony.

(c) Except as provided in this section and section 53-202x, any person who possesses a large capacity magazine shall be guilty of a (1) class D felony if such person is ineligible to possess a firearm under state or federal law, or (2) class A misdemeanor if such person is not ineligible to possess a firearm under state or federal law.

(e) **A large capacity magazine may be possessed by:**

(4) Any person who has declared possession of the magazine pursuant to section 53-202x; or  
(Means Registered it with Authorities) 18, 27; 23-203, S. 3.  
S..

**Title 53: Chpt. 943 [Sec. 53-202x](#)**

(d) Any person who moves into the state in lawful possession of a large capacity magazine shall, within ninety days, either render the large capacity magazine permanently inoperable, sell the large capacity magazine to a licensed gun dealer or remove the large capacity magazine from this state, except that any person who is a member of the military or naval forces of this state or of the United States, is in lawful possession of a large capacity magazine and has been transferred into the state after January 1, 2024, may, within ninety days of arriving in the state, apply to the Department of Emergency Services and Public Protection to declare possession of such large capacity magazine.

(f) Any person who declared possession of a large capacity magazine under this section may possess the large capacity magazine only under the following conditions:

(1) At that person's residence;

(2) At that person's place of business or other property owned by that person, provided such large capacity magazine contains not more than ten bullets;

(3) While on the premises of a target range of a public or private club or organization organized for the purpose of practicing shooting at targets;

(4) While on a target range which holds a regulatory or business license for the purpose of practicing shooting at that target range;

(5) While on the premises of a licensed shooting club;

(6) While transporting the large capacity magazine between any of the places set forth in this subsection, or to any licensed gun dealer, provided (A) such large capacity magazine contains not more than ten bullets, and (B) the large capacity magazine is transported in the manner required for an assault weapon under subdivision (2) of subsection (a) of section 53-202f; or

(7) Pursuant to a valid permit to carry a pistol or revolver, provided such large capacity magazine (A) is within a pistol or revolver that was lawfully possessed by the person prior to April 5, 2013, (B) does not extend more than one inch below the bottom of the pistol grip, and (C) contains not more than ten bullets.



(g) Any person who violates the provisions of subsection (f) of this section shall be guilty of a class C misdemeanor. P.A. 23-203, S. 2.

**Note:** You need to go to the link for the bill and read it. It contains many restrictions on what firearms & magazines that can be brought into the state. CT Now has a 10 Rd Limits on Magazines that have not been registered with authorities by residents and those have to be possessed by a certain date. Handgunlaw.us recommends that residents of CT or anyone visiting CT with a firearm read the bill and all other information available on the new law. You can also view the bill [Here](#). More information can be found at the [Connecticut Citizens Defense League Inc](#) website.

**Note:** The Connecticut Citizens Defense League is reporting that the way the law is worded that you can carry a registered Higher Capacity magazine in your firearm but it can only be loaded with 10 rounds. Connecticut's law requiring a magazine be "within" the firearm "limits the number of declared 'large capacity magazines' one is able to carry, along with the number of bullets it can contain. (See (7) above) So if you carry spare magazines they have to be 10 round or less type magazines or you are in violation of the law. You can't under the law carry a higher capacity magazine only loaded with 10 rounds unless it is "Within" the firearm. Will this matter to authorities? No one is sure but that is the way the law is worded.

## **Delaware High Capacity Ammunition Magazines**

### **Title 11 Chpt. 5 Subchpt. VII § 1468. Definitions related to large-capacity magazines.**

For purposes of this section and §§ 1466 and 1467 of this title:

(1) "Ammunition feeding device" means any magazine, belt, drum, feed strip, or similar device that holds ammunition for a firearm.

(2)a. "Large-capacity magazine" means any ammunition feeding device capable of accepting, or that can readily be converted to hold, more than 17 rounds of ammunition.

b. "Large-capacity magazine" does not include an attached tubular device designed to accept, and only capable of operating with, .22 caliber rimfire ammunition.

c. For purposes of this subsection, the presence of a removable floor plate in an ammunition feeding device that is not capable of accepting more than 17 rounds of ammunition shall not, without more, be sufficient evidence that the ammunition feeding device can readily be converted to hold more than 17 rounds of ammunition.

83 Del. Laws, c. 331, § 1

### **Title 11 Chpt. 5 Subchpt. VII § 1469. Large-Capacity Magazines Prohibited; Class E Felony; Class B Misdemeanor; or Civil Violation.**

(a) Except as otherwise provided in subsections (c) and (d) of this section, it is unlawful for a person to manufacture, sell, offer for sale, purchase, receive, transfer, or possess a large-capacity magazine.

(b)(1) A violation of this section which is a first offense which only involves possession of a large capacity magazine is a civil penalty of \$100.

(2) A second violation of this section which only involves possession of a large capacity magazine is a class B misdemeanor.

(3) All other violations of this section, including a subsequent offense involving only possession of a large capacity magazine are a class E felony.

(4) A large-capacity magazine is subject to forfeiture for a violation of this section.

(5) The Superior Court has exclusive jurisdiction over violations under subsections

(c) This section does not apply to any of the following:

(1) Personnel of the United States government or a unit of that government who are acting within the scope of official business.

(2) Members of the armed forces of the United States or of the National Guard who are acting within the scope of official business.

(3) A law-enforcement officer.

(4) A qualified retired law-enforcement officer.

(5) **An individual who holds a valid concealed carry permit issued by the Superior Court under §1441 of this title.**

83 Del. Laws, c. 348, § 1

**Note:** (5) above states those with a permit issued by Superior Court Under § 1441 are exempt. The EXEMPTION likely doesn't apply to DE residents without a permit and non-residents of Delaware carrying with a permit DE Honors.

## DC

## High Capacity Ammunition Magazines

### D.C. Official Code [§ 7-2506.01](#)

(b) No person in the District shall knowingly possess, sell, or transfer any ammunition feeding device that is, in fact, a large capacity ammunition feeding device regardless of whether the device is attached to a firearm.

(c) For the purposes of this section, the term "large capacity ammunition feeding device" means a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than 10 rounds of ammunition. The term "large capacity ammunition feeding device" shall not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.

June 8, 2024, D.C. Law 25-175, § 15(b), 71 DCR 2732.)

## Hawaii

## High Capacity Ammunition Magazines

**Note:** On 3/29/19 US District Judge Roger T. Benitez of the US Dist CT Southern Dist of California **Ruled** that [CA Penal Code § 32310](#) (Code at link and below) ban on the possession/importation of Magazines that could hold more than 10 rounds as Unconstitutional and Enjoining Enforcement. He then stayed his decision until appeals were heard.

On 8/14/2020 the [US 9th Circuit Affirmed](#) the Original Decision by District Judge Robert Benitez. He also stayed his order until any appeals were heard. The State of California can ask for an en banc panel of judges from the 9<sup>th</sup> or can ask to go to the US Supreme Court. The ban on mags is still in effect and will be unless Judge Benitez lifts his stay or the 9<sup>th</sup> Circuit lifts it. This ruling if not appealed would make the California and Hawaii mag bans unconstitutional and their laws on such null of void. This would also affect City Mag Bans. This ruling also is in conflict with other District Courts rulings and these are cases the US Supreme Court hears as the lower courts can't agree. Time will tell.



[§134-8](#) (c). "The manufacture, possession, sale, barter, trade, gift, transfer, or acquisition of detachable ammunition magazines with a capacity in excess of ten rounds which are designed for or capable of use with a pistol is prohibited." This subsection shall not apply to magazines originally designed to accept more than ten rounds of ammunition which have been modified to accept no more than ten rounds and which are not capable of being readily restored to a capacity of more than ten rounds.

L 1992, c 286, §§3, 4

## Illinois

## High Capacity Ammunition Magazines

### [720 ILCS 5/24-1.10](#) Manufacture, Delivery, or Sale of Large Capacity Ammunition Feeding Devices.

(a) In this Section: "Large capacity ammunition feeding device" means:

- (1) a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than **10 rounds of ammunition for long guns and more than 15 rounds of ammunition for handguns**; or
- (2) any combination of parts from which a device described in paragraph (1) can be assembled. "Large capacity ammunition feeding device" does not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition. "Large capacity ammunition feeding device" does not include a tubular magazine that is contained in a lever-action firearm or any device that has been made permanently inoperable.
- (b) Except as provided in subsection (e) and (f), it is **unlawful for any person within this State to knowingly manufacture, deliver, sell, purchase**, or cause to be manufactured, delivered, sold, or purchased a large capacity ammunition feeding device.
- (c) Except as provided in subsections (d), (e), and (f), and beginning 90 days after the effective date of this amendatory Act of the 102nd General Assembly, it is unlawful to knowingly possess a large capacity ammunition feeding device.
- (d) Subsection (b) does not apply to a person's possession of a large capacity ammunition feeding device if the person lawfully possessed that large capacity ammunition feeding device before the effective date of this amendatory Act of the 102nd General Assembly, provided that the **person shall possess such device only:**
  - (1) on private property owned or immediately controlled by the person;
  - (2) on private property that is not open to the public with the express permission of the person who owns or immediately controls such property;
  - (3) while on the premises of a licensed firearms dealer or gunsmith for the purpose of lawful repair;
  - (4) while engaged in the legal use of the large capacity ammunition feeding device at a properly licensed firing range or sport shooting competition venue; or
  - (5) while traveling to or from these locations, provided that the large capacity ammunition feeding device is stored unloaded and enclosed in a case, firearm carrying box, shipping box, or other container.

A person authorized under this Section to possess a large capacity ammunition feeding device may transfer the large capacity ammunition feeding device only to an heir, an individual residing in another state maintaining it in another state, or a dealer licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968. Within 10 days after transfer of the large capacity ammunition feeding device except to an heir, the person shall notify the Illinois State Police of the name and address of the transferee and comply with the requirements of subsection (b) of Section 3 of the Firearm Owners Identification Card Act. The person to whom the large capacity ammunition feeding device is transferred shall, within 60 days of the transfer, notify the Illinois State Police of the person's acquisition and comply with the requirements of subsection (b) of Section 3 of the Firearm Owners Identification Card Act. A person to whom the large capacity ammunition feeding device is transferred may transfer it only as provided in this subsection.

103-605, eff. 7-1-24

**Note:** Handgunlaw.us recommends you read all of HB 5471 (Scroll near bottom of bill) as 720 ILCS 5/24-1.10 may not have been updated in the Illinois Statutes at this time.

#### **Aurora**

**§ 29-49** (h)(4) bans the possession, sale, or acquisition of large capacity feeding devices (magazines with a capacity of more than 15 rounds). § 1(Exh. A), 4-23-19

#### **Chicago**

**8-20-010** Definitions - Previous ordinances on the restrictions have been deleted and this sections has all the restrictions for handguns and long guns in Chicago. The new preemption law voids all handgun restrictions in Illinois. J. 11-7-18, p. 88803, § 16

#### **Franklin Park**

**§ 3-13G-3** bans the transfer, acquisition, possession, manufacture or distribution of assault ammunition (any detachable ammunition magazine having a capacity of more than 16 rounds). (Ord. 9495 VC 9, § 1)

#### **Oak Park**

**§ 27-1-1**, **§ 27-1-2** and **§ 27-2-1** bans the possession and sale of large capacity feeding devices (magazines with a capacity of more than 10 rounds). Ord. 1995-0-21, 4-3-95

#### **Riverdale**

**§ 9.05.010**, **§ 9.05.020** and **§ 9.05.030** bans the possession, transfer, acquisition or manufacture of assault ammunition (a detachable magazine box with a capacity of "more than 35 rounds centerfire."). Ord. 2013-11 § 2, 2013

**Note:** The above restrictions would only apply to Long Guns. The State has preempted all local handgun laws.

## **Maryland**

## **High Capacity Magazines**

### **Higher Capacity Magazines:**

Maryland law prohibits manufacture, sale, or transfer within the state of detached magazines of greater than 10-round capacity, but does not restrict possession of such magazines.

(These new Restrictions on Firearms and Mags becomes effect October 1, 2013. The Bill can be seen [Here](#). )

**Criminal Law § 4-301** (H)(ii) a semiautomatic centerfire rifle that has a fixed magazine with the capacity to accept more than 10 rounds;

(H)(iv) a semiautomatic pistol with a fixed magazine that can accept more than 10 rounds;

(I) "detachable magazine" means an ammunition feeding device that can be removed readily from a firearm without requiring disassembly of the firearm action or without the use of a tool, including a bullet or cartridge. [HB 810](#) 2024

Article on Regulated Firearms written 9/14 by Jack Mccauley who retired as the Commander of the Maryland State Police Licensing Division in 2013 can be viewed [Here](#).

**Criminal Law § 4-305.** (a) This section does not apply to:

(1) a .22 caliber rifle with a tubular magazine;

(b) A person may not manufacture, sell, offer for sale, purchase, receive, or transfer a detachable magazine that has a capacity of more than 10 rounds of ammunition for a firearm. § 2; 2013, ch. 427

## Massachusetts

## Large Capacity Feeding Devices

### General Laws, Part I, TitleXX, Chapter140, [Section 121](#): "Large Capacity Feeding Device"

(i) a fixed or detachable magazine, box, drum, feed strip or similar device capable of accepting, or that can be readily converted to accept, more than ten rounds of ammunition or more than five shotgun shells; or

(ii) a large capacity ammunition feeding device as defined in the federal Public Safety and Recreational Firearms Use Protection Act, 18 U.S.C. section 921(a)(31) as appearing in such section on September 13, 1994. The term "large capacity feeding device" shall not include an attached tubular device designed to accept, and capable of operating only with,.22 caliber ammunition.

### "Large capacity weapon", any firearm, rifle or shotgun:

(i) that is semiautomatic with a fixed large capacity feeding device;

(ii) that is semiautomatic and capable of accepting, or readily modifiable to accept, any detachable large capacity feeding device;

(iii) that employs a rotating cylinder capable of accepting more than ten rounds of ammunition in a rifle or firearm and more than five shotgun shells in the case of a shotgun or firearm; or

(iv) that is an assault weapon.

The term "large capacity weapon" shall be a secondary designation and shall apply to a weapon in addition to its primary designation as a firearm, rifle or shotgun and shall not include:

(i) any weapon that was manufactured in or prior to the year 1899;

(ii) any weapon that operates by manual bolt, pump, lever or slide action;

(iii) any weapon that is a single-shot weapon;

(iv) any weapon that has been modified so as to render it permanently inoperable or otherwise rendered permanently unable to be designated a large capacity weapon; or any weapon that is an antique or relic, theatrical prop or other weapon that is not capable of

firing a projectile and which is not intended for use as a functional weapon and cannot be readily modify through a combination of available parts into an operable large capacity weapon or

any weapon that is an antique or relic, theatrical prop or other weapon that is not capable of firing a projectile and which is not intended for use as a functional weapon and cannot be readily modify through a combination of available parts into an operable large capacity weapon

## **Part I, Title XX Chpt. 140**

**Section 131M** No person shall sell, offer for sale, transfer or possess an assault weapon or a large capacity feeding device that was not otherwise lawfully possessed on September 13, 1994. Whoever not being licensed under the provisions of section 122 violates the provisions of this section shall be punished, for a first offense, by a fine of not less than \$1,000 nor more than \$10,000 or by imprisonment for not less than one year nor more than ten years, or by both such fine and imprisonment, and for a second offense, by a fine of not less than \$5,000 nor more than \$15,000 or by imprisonment for not less than five years nor more than 15 years, or by both such fine and imprisonment.

The provisions of this section shall not apply to: (i) the possession by a law enforcement officer; or (ii) the possession by an individual who is retired from service with a law enforcement agency and is not otherwise prohibited from receiving such a weapon or feeding device from such agency upon retirement.

## **New Jersey**

## **Large Capacity Feeding Devices**

New Jersey prohibits the manufacture, transport, shipment, sale or disposal of large capacity ammunition magazines, unless the magazine is intended to be used for authorized military or law enforcement purposes. N.J. Rev. Stat § 2C:39-9h. New Jersey law defines “large capacity ammunition magazine” as a box, drum, tube or other container which is capable of holding more than 15 rounds of ammunition to be fed continuously and directly into a semi-automatic firearm. Section 2C:39-1y

**2C:39-1. Definitions.** The following definitions apply to this chapter and to chapter 58:

y. **"Large capacity ammunition magazine"** means a box, drum, tube or other container which is capable of holding more than **10 rounds** of ammunition to be fed continuously and directly therefrom into a semi-automatic firearm. The term shall not include an attached tubular device which is capable of holding only .22 caliber rimfire ammunition. 2022, c.54, s.1..

## **2C:39-9 Manufacture, Transport, Disposition and Defacement of Weapons and Dangerous Instruments and Appliances.**

h. Large capacity ammunition magazines. Any person who manufactures, causes to be manufactured, transports, ships, sells or disposes of a large capacity ammunition magazine which is intended to be used for any purpose other than for authorized military or law enforcement purposes by duly authorized military or law enforcement personnel is guilty of a crime of the fourth degree. S.3; 2022, c.53.

**Note:** Mag Ban Upheld in US 3<sup>rd</sup> Circuit 12/2018. See AG Opinions/Ct Case Section Below.

**13. I'm not a police officer, are hollow points legal for me to possess?**

**Yes.** They are legal for purchase and possess in your home or on land owned by you. They are legal to possess and use at a gun range. They are also legal to possess while traveling to and from such places. Ammunition lacking a hollow cavity at the tip, such as those with a polymer filling, are not considered to be hollow point ammunition. An example of this can be seen with the Hornady Critical Defense / Critical Duty, Cor-Bon PowRball / Glaser Safety Slug and Nosler Inc. Defense ammunition.

**New York                      Large Capacity Ammunition Feeding Devices**

**Higher cap mags in NY are Illegal.**

**NY Penal Code [265.00](#)**

**23.** "Large capacity ammunition feeding device" means a magazine, belt, drum, feed strip, or similar device, that has a capacity of, or that can be readily restored or converted to accept, more than ten rounds of ammunition; provided, however, that such term does not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition or a feeding device that is a curio or relic.

**Northern Mariana Is.                      Ammo & Large Cap Ammunition Feeding Device**

**Notice.** Parts of the Northern Mariana Islands Firearms were ruled Unconstitutional. They will be updated here when Handgunlaw.us receives more information.

**[Title 6 § 10207.](#) Persons Permitted to Possess Ammunition**

**(a)** No person shall possess ammunition in the Commonwealth unless:

- (1)** He or she is a licensed firearm vendor;
- (2)** He or she is the holder of the valid registration certificate for a firearm of the same gauge or caliber as the ammunition he possesses; except, that no such person shall possess one or more restricted bullets; or
- (3)** He or she temporarily possesses ammunition while participating in a firearms training and safety class conducted by a firearms instructor.

**(b)** No person in the Commonwealth shall possess, sell, or transfer any large capacity ammunition feeding device regardless of whether the device is attached to a firearm. For the purposes of this subsection, the term "large capacity ammunition feeding device" means a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than 10 rounds of ammunition. The term "large capacity ammunition feeding device" shall not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.

**(c)** Penalties.

(1) any person convicted of a violation of subsection (a) of this section for legally allowable ammunition shall be fined not more than the amount set forth in \$2,500.00 or imprisoned for not more than 1 year, or both.

(2) A person convicted of possessing more than one restricted pistol bullet in violation of subsection (a)(2) of this section may be sentenced to imprisonment for a term not to exceed 10 years, and shall be sentenced to imprisonment for a mandatory-minimum term of not less than 1 year and shall not be released from prison or granted probation or suspension of sentence prior to serving the mandatory minimum sentence, and, in addition, may be fined not more than \$25,000.

(3) A person convicted of possessing a single restricted pistol bullet in violation of subsection (a)(3) of this section shall be fined not more than the amount set forth in \$2,500.00 or imprisoned for not more than 1 year, or both.

(4) A person convicted of possessing a large capacity ammunition feeding device in violation of subsection (b) of this subsection may be sentenced to imprisonment for a term not to exceed 10 years, and shall be sentenced to imprisonment for a mandatory-minimum term of not less than 1 year and shall not be released from prison or granted probation or suspension of sentence prior to serving the mandatory-minimum sentence, and, in addition, may be fined not more than \$25,000. This section shall not apply to any large capacity ammunition feeding device possessed by the owner of a properly registered firearm capable of receiving such a device until ninety days after this Act becomes law Source:

PL 19-42 § 6 (Apr. 11, 2016),. modified.

## **Rhode Island**

## **High Capacity Magazines**

**11-47.1-2. Definitions.** As used in this chapter:

(2) "Large capacity feeding device" means a magazine, box, drum, tube, belt, feed strip, or other ammunition feeding device which is capable of holding, or can readily be extended to hold, more than ten (10) rounds of ammunition to be fed continuously and directly therefrom into a semi-automatic firearm. The term shall not include an attached tubular device which is capable of holding only .22 caliber rimfire ammunition. (This is a new Chapter to RI Statutes) [S2653](#) & [H6614](#) 2022

**11-47.1-3. Large capacity feeding devices prohibited.**

(a) No person, except for a federally licensed firearms dealer, shall manufacture, sell, offer to sell, transfer, purchase, possess, or have under his or her control a large capacity feeding device, except as otherwise authorized under this chapter. Any person convicted of violating the provisions of this section shall be punished by imprisonment of not more than five (5) years, or by a fine of up to five thousand dollars (\$5,000), and the large capacity feeding device shall be subject to forfeiture.

(b) The provisions of subsection (a) of this section shall not apply to:

(1) Any person who, on the effective date of this chapter, lawfully possesses a large capacity feeding device; provided that, within one hundred eighty (180) days of the effective date of this chapter the person:

(i) Permanently modifies the large capacity feeding device such that it cannot hold more than ten (10) rounds of ammunition;

(ii) Surrenders the large capacity feeding device to the police department in the city or town where the person resides in accordance with the procedures for surrender of weapons set forth by the police department or the Rhode Island state police, or, if there is no such police



department or the person resides out of state, to the Rhode Island state police; or

(iii) Transfers or sells the large capacity feeding device to a federally licensed firearm dealer or person or firm outside the State of Rhode Island that is lawfully entitled to own or possess such a feeding device.

(This is a new Chapter to RI Statutes) [S2653](#) & [H6614](#) 2022

**Note:** The effective date for (b) is on or about 12/20/2022

## Vermont

## Large Capacity Magazines

### 13 V.S.A. § 4021 Large Capacity Ammunition Feeding Devices

(a) A person shall not manufacture, possess, transfer, offer for sale, purchase, or receive or import into this State a large capacity ammunition feeding device. As used in this subsection, "import" shall not include the transportation back into this State of a large capacity ammunition feeding device by the same person who transported the device out of State if the person possessed the device on or before the effective date of this section.

(b) A person who violates this section shall be imprisoned for not more than one year or fined not more than \$500.00, or both.

(c)(1) The prohibition on possession of large capacity ammunition feeding devices established by subsection (a) of this section shall not apply to a large capacity ammunition feeding device lawfully possessed on or before the effective date of this section.

(d)(1) This section shall not apply to any large capacity ammunition feeding device:

(D) possessed by an individual who is retired from service with a law enforcement agency after having been transferred to the individual by the agency upon his or her retirement, provided that the individual is not otherwise prohibited from receiving ammunition;

(F) transported by a resident of another state into this State for the exclusive purpose of use in an organized shooting competition sponsored by an entity registered with the Secretary of State if the device is lawfully possessed under the laws of another state.

(e)(1) As used in this section, "large capacity ammunition feeding device" means a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept:

(A) more than 10 rounds of ammunition for a long gun; or

(B) more than 15 rounds of ammunition for a hand gun.

(2) the term "large capacity ammunition feeding device" shall not include:

(A) an attached tubular device designed to accept, and capable of operating only with .22 caliber rimfire ammunition.

(B) a large capacity ammunition feeding device that is manufactured or sold solely for use by a lever action or bolt action long gun or by an antique firearm as defined in subdivision 4017(d)(2)(A) and (B) of this title; or

(C) a large capacity ammunition feeding device that is manufactured or sold solely for use with a firearm that is determined to be a curio or relic by the Bureau of Alcohol, Tobacco, Firearms and Explosives. As used in this subdivision, "curio or relic" means a firearm that is of special interest to collectors by reason of some quality other than its association with firearms intended for sporting use or as offensive or defensive weapons

2021, No. 87 (Adj. Sess.), §5

Vermont DPS has a [FAQs](#) page on Large Capacity Magazines

## Washington Large Capacity Magazines

### RCW [9.41.370](#) - Large Capacity Magazines—Exceptions—Penalty.

- (1) No person in this state may manufacture, import, distribute, sell, or offer for sale any large capacity magazine..... 2022 c 104 § 3.

### [RCW 9.41.010](#) Terms Defined

(23) "Import" means to move, transport, or receive an item from a place outside the territorial limits of the state of Washington to a place inside the territorial limits of the state of Washington. "Import" does not mean situations where an individual possesses a large capacity magazine or assault weapon when departing from, and returning to, Washington state, so long as the individual is returning to Washington in possession of the same large capacity magazine or assault weapon the individual transported out of state.

(25) "Large capacity magazine" means an ammunition feeding device with the capacity to accept more than 10 rounds of ammunition, or any conversion kit, part, or combination of parts, from which such a device can be assembled if those parts are in possession of or under the control of the same person, but shall not be construed to include any of the following:

- (a) An ammunition feeding device that has been permanently altered so that it cannot accommodate more than 10 rounds of ammunition;
- (b) A 22 caliber tube ammunition feeding device; or
- (c) A tubular magazine that is contained in a lever-action firearm. 2024 c 289 s 1

**Note:** It will not be illegal to keep what they call Large Capacity Magazines that Washington State Residents possess when the law goes into effect July 1, 2022. It will be illegal to buy, sell or import into the state any magazine that holds over 10 rounds after that date. Any non-resident entering the state after the law takes effect would be limited to only possessing magazines that hold 10 rounds or less. You need to read all of the new law.

## States Where Stun Devices Are Regulated

### Arkansas

#### [§ 5-73-133](#). Purchase or Possession of a Taser Stun Gun

(a) As used in this section, "taser stun gun" means any device that:

- (1) Is powered by an electrical charging unit such as a battery; and
- (2) Either:
  - (A) Emits an electrical charge in excess of twenty thousand (20,000) volts; or
  - (B) Is otherwise capable of incapacitating a person by an electrical charge.

(b)(1) No person who is **eighteen (18) years of age or under** may purchase or possess a taser stun gun. Acts 2005, No. 2153, § 1.

## California

### 5 CCR § 100015 - Weapons

No non-affiliate shall, on University property, carry upon his/her person or have in his/her possession or under his/her control any Dangerous Weapon. For purposes of this Section, "Dangerous Weapon" means and includes, but is not limited to:

A. Any firearm in violation of the Gun-Free School Zone Act of 1995, California Penal Code section 626.9.

H. Any taser, stun gun, or other similar electronic device.

10/21/22 Register 2022, No. 42

### **PC Part 1 Title 7 Chpt. 7 - Part 171b**

Illegal to have stun guns within any state or local public building or at any meeting required to be open to the public

2023, Ch. 249, Sec. 17. (SB 2)

**Penal Code 626.10**, upon the grounds of, or within, any public or private school providing instruction in kindergarten or any of grades 1 to 12, inclusive

2013, Ch. 76, Sec. 147.5. (AB

## Connecticut

### 53-206. Carrying of Dangerous Weapons Prohibited

the carrying of an electronic defense weapon, as defined in section 53a-3, as amended by this act, by any person who is twenty-one years of age or older and possesses a permit or certificate issued under the provisions of section 29-28, 29-36f, 29-37p or 29-38n;

Public Act No. 21-31 2021

### 29-38. Weapons in Vehicles. Penalty. Exceptions.

(b)G)(6) any person having an electronic defense weapon, as defined in section 53a-3, as amended by this act, in a vehicle, who is twenty-one years of age or older and possesses a permit or certificate issued under the provisions of section 29-28, 29-36f, 29-37p or 29-38n;

Public Act No. 21-31 2021

29-28. .... Permit to carry pistol or revolver.... 9-36f. Eligibility Certificate for Pistol or Revolver.

29-37p. Long Gun Eligibility Certificate. Disqualifiers

29-38n. Ammunition Certificate. Issuance. Form and Content. Confidentiality

### CT Legislative Research Report on Carrying Tasers and Other Electronic Defense Weapons

### WoodBridge, CT Bans Firearms on All City Property.

§ 231-3. Town Property. No hunting or target shooting or any other activity involving the discharge of a firearm, air gun, air rifle or crossbow, longbow or other weapon shall be permitted on any Town-owned property. The possession of any loaded firearm, air gun, air rifle or crossbow, longbow or other weapon on Town-owned property shall be prima facie evidence of a violation of this section.

effective 7-29-2017

§ 231-4. Penalties for Offenses. Any violation of § 231-2 or 231-3 of this chapter shall be a violation punishable by a fine of not more than \$100 or imprisonment for not more than 30 days, or both.

effective 7-29-2017

## **New London, CT**

### **Chapter 18 – Article VI**

#### **Sec. 18-110. - Public Conduct During Demonstrations or Special Events.**

(a) No fire arms or dangerous weapons of any kind may be possessed, either exposed or concealed, by any participant in the demonstration or special event or by any person affiliated with and present upon any public street or other public place.

(b) "Dangerous weapon" shall be defined as any device designed or capable of being used to inflict serious injury upon person or property, including, but not limited to firearms, knives of any kind or type having a blade in excess of three (3) inches in length, razors, and razor blades, metallic knuckles, clubs, blackjacks and night-sticks, dynamite, cartridges, bombs, grenades, mines and other powerful liquid or solid explosives and loaded canes. (Ord. of 3-1-82)

**Note:** From our research it looks like many but not all cities and Towns in Connecticut ban firearms in their Parks and Recreation Areas. We can find nothing that states they must post or that they will be posted. Use Caution.

## **Deleware**

### **New Castle County, DE**

**Sec. 22.03.010.** A. It shall be unlawful for any person to manufacture, make, deliver, transport trade, give, sell, purchase or possess a stun gun or taser gun. § 1, 5-12-2015

## **Wilmington, DE**

**Sec. 36-161** (a) It shall be unlawful for any person to manufacture, make, deliver, transport, trade, give, sell, or possess a converted tear gas gun, stun gun or taser gun. § 26(j)(4)(39-19.4), 7-2-92)

## **District of Columbia**

### **Title 7 Subtitle J Chpt. 25 § 7-2502.15. Possession of Stun Guns.**

(a) No person under 18 years of age shall possess a stun gun in the District; provided, that brief \ possession for self-defense in response to an immediate threat of harm shall not be a violation of this subsection.

(b) No person who possesses a stun gun shall use that weapon except in the exercise of reasonable force in defense of person or property.

(c) Unless permission specific to the individual and occasion is given, no person, except a law enforcement officer as defined in section 901, shall possess a stun gun in the following locations:

- (1) A building or office occupied by the District of Columbia government, its agencies, or instrumentalities;
- (2) A penal institution, secure juvenile residential facility, or halfway house;
- (3) A building or portion thereof, occupied by a children's facility, preschool, or public or private elementary or secondary school; or

- (4) Any building or grounds clearly posted by the owner or occupant to prohibit the carrying of a stun gun.

May 19, 2017, D.C. Law 21-281, § 2(d), 64 DCR 1648

#### **D.C. Official Code [§ 7-2506.01](#)**

(b) No person in the District shall knowingly possess, sell, or transfer any ammunition feeding device that is, in fact, a large capacity ammunition feeding device regardless of whether the device is attached to a firearm.

(c) For the purposes of this section, the term "large capacity ammunition feeding device" means a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than 10 rounds of ammunition. The term "large capacity ammunition feeding device" shall not include an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.

June 8, 2024, D.C. Law 25-175, § 15(b), 71 DCR 2732.)

## **Florida**

#### **[790.001](#) (4)(b) Definitions.**

(5) "Dart-firing stun gun" means any device having one or more darts that are capable of delivering an electrical current.

[HB 543 2023](#)

#### **[790.001](#) (3)(b) Definitions.**

(4)(b) "Tear gas gun" or "chemical weapon or device" means any weapon of such nature, except a device known as a "self-defense chemical spray." "**Self-defense chemical spray**" means a device carried solely for purposes of lawful self-defense that is compact in size, designed to be carried on or about the person, and contains not more than two ounces of chemical.

[HB 543 2023](#)

#### **[790.053](#) Open carrying of weapons.**

(1) Except as otherwise provided by law and in subsection (2), it is unlawful for any person to openly carry on or about his or her person any firearm or electric weapon or device. It is not a violation of this section for a person licensed to carry a concealed firearm as provided in s. [790.06](#)(1), and who is lawfully carrying a firearm in a concealed manner, to briefly and openly display the firearm to the ordinary sight of another person, unless the firearm is intentionally displayed in an angry or threatening manner, not in necessary self-defense.

(2) A person may openly carry, for purposes of lawful self-defense:

(a) A self-defense chemical spray.

(b) A nonlethal stun gun or dart-firing stun gun or other nonlethal electric weapon or device that is designed solely for defensive purposes.

(3) Any person violating this section commits a misdemeanor of the second degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

[HB 543 2023](#)

## **Georgia**

**[§ 16-11-127.1](#).** (b)(1) Except as otherwise provided in subsection (c) of this Code section, it shall be unlawful for any person to carry to or to possess or have under such person's control while within a school safety zone, at a school function, or on a bus or other transportation furnished by a school any weapon or explosive compound, other than fireworks or consumer fireworks the possession of which is regulated by Chapter 10 of Title 25.

2022 Ga. Laws 596, § 7, eff. 4/12/2022

**§ 16-11-127.1** (C) (19) Any person who is 18 years of age or older or currently enrolled in classes on the campus in question and carrying, possessing, or having under such person's control an electroshock weapon while in or on any building or real property owned by or leased to such public technical school, vocational school, college or university or other public institution of postsecondary education; provided, however, that, if such person makes use of such electroshock weapon, such use shall be in defense of self or others. The exemption under this paragraph shall apply only to such person in regard to such electroshock weapon. As used in this paragraph, the term "electroshock weapon" means any commercially available device that is powered by electrical charging units and designed exclusively to be capable of incapacitating a person by electrical charge, including, but not limited to, a stun gun or taser as defined in subsection (a) of Code Section 16-11-106; **Note:** See Statute for Restrictions on School Property.

2022 Ga. Laws 596, § 7, eff. 4/12/2022

**Limitation on carrying weapons.** — Notwithstanding whether a person has a license to carry a weapon, Georgia law separately prohibits individuals from carrying weapons into both faculty, staff and administrative offices, as well as any room on a school campus in which disciplinary proceedings are conducted. [2018 Op. Att’y Gen. No. U18-1](#)

## Hawaii

### **§134-81** Definitions. As Used in This Part:

"**Cartridge**" means any device or object that is designed to be used with an electric gun to project a missile.

"Cartridge" includes but is not limited to a Taser cartridge.

"**Electric gun**" means any portable device that is designed to discharge electric energy, charge, voltage, or current into the body through direct contact or utilizing a projectile. "Electric gun" includes but is not limited to devices commonly referred to as stun guns and Tasers. "Electric gun" does not include any automatic external defibrillator used in emergency medical situations.

L 2021, c 183, pt of §2

### **§134-82-** Restrictions on Use, Sale, Offer for Sale, Distribution, and Transfer of Electric Guns and Cartridges

(a) It shall be unlawful for any person to knowingly or recklessly use an electric gun for any purpose except:

- (1) Self-defense;
- (2) Defense of another person; or
- (3) Protection of property of the person or of another person.

(d) It shall be unlawful for any person to knowingly sell, offer to sell, distribute, or otherwise transfer an electric gun or cartridge to a person less than twenty-one years of age. 2021, c 183, pt of §2

### **§134-84** Sale, offer for sale, distribution, or transfer of electric guns or cartridges

(f) Before completing a sale, distribution, or other transfer of an electric gun, the licensee or an employee of the licensee shall conduct a criminal history background check of the recipient. At minimum, the criminal history background check shall be a name-based search of the adult criminal conviction records maintained by the Hawaii criminal justice data center. The licensee or employee of the licensee shall require the recipient to review a printed copy of the results of the background check. After the review, the recipient shall sign and date a declaration. The declaration shall be in



the following form: "I, (name of recipient), declare under penalty of law that the attached document accurately reflects my adult criminal conviction history in Hawaii. I further declare that I do not have any convictions or charges pending against me that disqualify me from owning an electric gun. I further declare under penalty of law that I am not disqualified from owning an electric gun." The licensee or employee of the licensee shall witness the recipient sign the declaration and sign the declaration as a witness. If the recipient is disqualified from owning an electric gun, or refuses or is unable to sign or make the declaration, the licensee shall immediately terminate the sale, distribution, or transfer.

(g) Before completing a sale, distribution, or other transfer of an electric gun, the licensee or an employee of the licensee shall provide an informational briefing to the recipient that includes but is not limited to the following:

- (1) The safe use and handling of electric guns;
- (2) Current information about the effects, dangers, risks, and limitations of electric guns;
- (3) Education on the current state laws on electric guns; and
- (4) The proper disposal of electric guns.

(h) Upon completion of the informational briefing, the licensee shall provide a certification of informational briefing that is signed and dated by the recipient and the person who provided the informational briefing acknowledging that the briefing was completed and that the recipient understood the briefing. The certification shall include the names of the recipient and the person who provided the informational briefing and the date of the briefing. The form of the certification shall be as provided by the county office that issued the license to the licensee. L 2021, c 183, pt of §2

#### **§134-85 Disposal of Electric Gun or Cartridge.**

A person who is not a licensee may sell or otherwise transfer an electric gun or cartridge to a licensee or the chief of police of the appropriate county or designee. L 2021, c 183, pt of §2

#### **§134-86 Ownership or Possession Prohibited.**

(f) No person shall possess an electric gun that is owned by another, regardless of whether the owner has consented to possession of the electric gun. L 2021, c 183, pt of §2

#### **§134-88 Storage of Electric Gun; Responsibility With Respect to Minors.**

(a) No person shall store or keep any electric gun on any premises under the person's control if the person knows or reasonably should know that a minor is likely to gain access to the electric gun, unless the person:

- (1) Keeps the electric gun in a securely locked box or other container or in a location that a reasonable person would believe to be secure; or
- (2) Carries the electric gun on the person or within such close proximity thereto that the minor cannot gain access or control of the electric gun. L 2021, c 183, pt of §2

## **Illinois**

#### **720 ILCS 5/24-1 Unlawful Possession of Weapons..**

(a)(4) Carries or possesses in any vehicle or concealed on or about his person except when on his land or in his own abode, legal dwelling, or fixed place of business, or on the land or in the legal dwelling of another person as an invitee with that person's permission, any pistol, revolver, stun gun

or taser or other firearm, except that this subsection (a) (4) does not apply to or affect transportation of weapons that meet one of the following conditions:

- (i) are broken down in a non-functioning state; or
  - (ii) are not immediately accessible; or
  - (iii) are unloaded and enclosed in a case, firearm carrying box, shipping box, or other container by a person who has been issued a currently valid Firearm Owner's Identification Card; or
  - (iv) are carried or possessed in accordance with the Firearm Concealed Carry Act by a person who has been issued a currently valid license under the Firearm Concealed Carry Act;
- 102-1116, 1-10-23

## **Chicago**

### **Taser/Stun Guns Illegal to carry In Chicago Without License to Carry**

#### **8-24-020 Sale or possession of deadly weapons.**

(d) No person shall carry or possess with intent to use unlawfully against another, or carry in a threatening or menacing manner, without authority of law, a dagger, billy, dangerous knife, razor, broken bottle or other piece or glass, stun gun, taser, or other dangerous or deadly weapon of like character.

J. 9-11-13, p. 59905, § 3

## **Iowa**

**Title XVI Chapter 724.4** - Hand held stun devices legal for those 18 or older as long as such a dangerous weapon does not generate a projectile so Tasers are illegal. Must be a device that you have to contact the person with to apply. Acts, ch 1117, §1, 2

### **Iowa College/University Carry of Defensive High Voltage Pulse Weapons**

**260C.14A Limitation on Authority — Nonprojectile High-Voltage Pulse Weapons Designed to Immobilize.** The board of directors of a community college shall comply with the requirements of section 724.8A regarding policies and rules relating to the carrying, transportation, or possession of a dangerous weapon that directs an electric current, impulse, wave, or beam that produces a high-voltage pulse designed to immobilize a person in the buildings or on the grounds of the community college, as long as such a dangerous weapon does not generate a projectile that directs an electric current, impulse, wave, or beam that produces a high-voltage pulse designed to immobilize a person, and such a dangerous weapon is not used in the commission of a public offense. 2019, ch 94, §1

**262.9D Limitation on Authority — Nonprojectile High-Voltage Pulse Weapons Designed to Immobilize.**

The state board of regents shall comply with the requirements of section 724.8A regarding policies and rules relating to the carrying, transportation, or possession of a dangerous weapon that directs an electric current, impulse, wave, or beam that produces a high-voltage pulse designed to immobilize a person in the buildings or on the grounds of a university under the control of the state board of regents, as long as such a dangerous weapon does not generate a projectile that directs an electric current, impulse, wave, or beam that produces a high-voltage pulse designed to immobilize a person, and such a dangerous weapon is not used in the commission of a public offense.

2019, ch 94, §2

**724.8A Limitation on Authority — Nonprojectile High-Voltage Pulse Weapons Designed to Immobilize — Public Universities and Community Colleges.**

3. This section shall not apply to any policy or rule adopted or enforced by the governing board of a university under the control of the state board of regents as provided in chapter 262 that prohibits the carrying, transportation, or possession of a dangerous weapon that directs an electric current, impulse, wave, or beam that produces a high-voltage pulse designed to immobilize a **person inside the buildings or physical structures of any stadium or hospital associated with an institution** governed by the state board of regents. 2020 Acts, ch 1063, §376

**Note:** Tasers or stun guns that shot projectiles are still illegal on campus. Only hand held units that you must press against another person are legal. Links to above statutes may not work until Iowa updates its statutes. You can view SF188 which added the above [Here](#).

## Indiana

**IC 35-47-8-1 "Electronic stun weapon" defined**

**Sec. 1.** As used in this chapter, "electronic stun weapon" means any mechanism that is:

- (1) designed to emit an electronic, magnetic, or other type of charge that exceeds the equivalency of a five (5) milliamp sixty (60) hertz shock; and
- (2) used for the purpose of temporarily incapacitating a person. added by P.L.318-1985, SEC.3.

**IC 35-47-8-4 IC 35-47-8-4Applicability of handgun provisions**

**Sec. 4.** IC 35-47-2 applies to an electronic stun weapon or taser. As added by P.L.318-1985, SEC.3

**IC 35-47-8-5 Stun Guns; Purchase, Possession, and Sale; Use in Commission of Crime; Use On Law Enforcement Officer Law Enforcement Officer**

**Sec. 5. (a)** A person eighteen (18) years of age or over may purchase or possess a stun gun.

- (b) A person who knowingly or intentionally sells or furnishes a stun gun to a person who is less than eighteen (18) years of age commits a Class B misdemeanor.
- (c) A person who knowingly or intentionally uses a stun gun in the commission of a crime commits a Class A misdemeanor.
- (d) A person who knowingly or intentionally uses a stun gun on a law enforcement officer while the officer is performing the officer's duties commits a Level 6 felony.

Amended by P.L.158-2013, SEC.600.

## Kansas

**72-6131 -** Not allowed in schools. Same as a firearm.

## Maryland

**Criminal Law § 4-109. Electronic Control Device.**

**Westlaw Criminal Law § 4-109**

**(a) Definitions.-**

(1) In this section the following words have the meanings indicated.

(2) "Crime of violence" has the meaning stated in § 14-101 of this article.

(3) "Electronic control device" means a portable device designed as a weapon capable of injuring, immobilizing, or inflicting pain on an individual by the discharge of electrical current.

(b) Requirements for possession or use.- A person may not possess or use an electronic control device unless the person:

(1) has attained the age of 18 years; and

(2) has never been convicted of a crime of violence or a violation of § 5-602, § 5-603, § 5-604, § 5-605, § 5-606, § 5-613, or § 5-614 of this article.

(c) Prohibitions.- An electronic control device may not be sold and activated in the State unless:

(1) an instructional manual or audio or audiovisual instructions are provided to the purchaser;

(2) the manufacturer maintains a record of the original owner of the electronic control device; and

(3) the manufacturer or seller has obtained a State and federal criminal history records check of the original owner to ensure compliance with subsection (b)(2) of this section.

(d) Access to manufacturer's records.- A manufacturer of electronic control devices shall provide an investigating law enforcement agency with prompt access to the manufacturer's records on electronic control devices and cartridges sold in the State. Acts 2009, c. 321, § 1, eff. Oct. 1, 2009.

## **Baltimore, MD**

**Police Code Article 19 § 59-28** Can't possess in Schools/State/City Buildings.

## **Ocean City, MD**

**Sec. 58-162** Can only have in Home or Carry if you have a MD Carry Permit.

**Notice:** Beware there could be other locations in Maryland with restrictions.

## **Massachusetts**

### **Part I, Title XX Chpt. 140**

**Section 131J** Sections 131¾, 131K and 131P shall not apply to stun guns. The secretary of public safety and security shall promulgate regulations restricting access or use of stun guns by non-licensed persons and establishing minimum safety and quality standards, safe storage requirements, education and safety training requirements and law enforcement training on the appropriate use of stun guns, which shall require that any stun gun purchased or used by a law enforcement or public safety official include a mechanism for tracking the number of times the stun gun has been fired.

**Massachusetts Gov. FAQ on Firerarm.**

Scroll Down

**Q: Can I possess a stun gun in Massachusetts?**

**A:** Yes. However you **must have a current LTC** (FID card holders may not purchase or possess stun guns).

**Note:** The US Supreme Court struck down the Massachusetts Ban on Stun Guns. They can be owned and kept in your home but they may not be legal to carry outside the home unless you have a perm it to carry a concealed handgun outside the home. They also must be locked up and out of the

hands of unauthorized persons. Same as firearms. **Note:** See the Supreme Court Decision [Here](#) that ruled they were legal to own.

## Michigan

[750.224a](#) Must have a valid firearm carry permit/license to carry a stun device.

## Minnesota

[624.731](#) **Tear Gas and Tear Gas Compounds; Electronic Incapacitation Devices. Subdivision**

**1.Definitions.** For the purposes of this section:

(2) "electronic incapacitation device" means a portable device which is designed or intended by the manufacturer to be used, offensively or defensively, to temporarily immobilize or incapacitate persons by means of electric pulse or current, including devices operating by means of carbon dioxide propellant. "Electronic incapacitation device" does not include cattle prods, electric fences, or other electric devices when used in agricultural, animal husbandry, or food production activities.

**Subd. 2. Authorized Possession; Use.**

(b) A person may possess and use an electronic incapacitation device in the exercise of reasonable force in defense of the person or the person's property only if the electronic incapacitation device is labeled with or accompanied by clearly written instructions as to its use and the dangers involved in its use.

2009 c 86 art 1 s 85

## Mississippi

~~[§ 45-9-101](#) Must be licensed to carry a stun gun.~~ **Law Repealed when permitless Carry became Law,**

## New Jersey

[N.J.A.C. 13:54-5.8](#) - No person under 18 years of age shall possess a stun gun. Any stun gun possessed by a person under the age of 18 shall be subject to confiscation by law enforcement.

N.J.R. 214(b), effective 1/2/2018

## North Carolina

[§ 14-269](#) It shall be unlawful for any person willfully and intentionally to carry concealed about his or her person any bowie knife, dirk, dagger, slung shot, loaded cane, metallic knuckles, razor, shuriken, stun gun, or other deadly weapon of like kind, except when the person is on the person's own premises. 2023-121, s. 7(a)

**Note:** It states Concealed. Open Carry of a Stun Gun is most likely legal.

## North Dakota

[62.1-01-01. & 62.1-02-04.](#) Are the laws covering Defensive Sprays and Stun Guns.

From the [ND AG's General FAQs](#)

**Stun Guns and Defense Sprays**

Stun guns and defense sprays (such as pepper spray) are exempt from the definition of "dangerous weapons" and therefore you do not need a concealed weapon license to carry those items concealed (e.g., in a purse or bag, under clothing, under the vehicle seat or in the vehicle's glove box) within North Dakota.

**Washington**

**Ruston, WA**

**9.11.015 TASERs, Stun Guns and Similar Devices**

- (a) Possession, Sale, or Use Prohibited. It shall be unlawful for any individual, person, firm, corporation, or similar entity to sell, give, lend, rent or otherwise transfer to any other individual, person, firm, corporation or similar entity a TASER, stun gun or similar electronic or energy device or weapon which, upon coming in contact with a person is capable of inflicting injury or an electric or energy shock to such person. It shall further be unlawful for any person to possess, fire or discharge such an electronic or energy device or weapon within the Town of Ruston limits.

**States/Cities Where Chemical Sprays are Restricted**

**Airports/Airlines:** Federal Law forbids carrying any type of tear gas or pepper sprays on airplanes or in the security area of an airport.

**Alabama**

**Mobile, AL**

**Sec. 62-21. - Definitions.**

Tear gas fountain pen, tear gas gun or similar device, as used in this article, shall mean any weapon, device or instrument of any kind designed to discharge or release any lachrymating, asphyxiating, incapacitating or other deleterious gas, liquid, solid or chemical. (Code 1965, § 58A-1)

**Sec. 62-23. - Permit to Carry Required. (City Permit from Local Police)**

No person shall carry a tear gas fountain pen, tear gas gun or similar device designed to discharge tear gas or other incapacitating gas, liquid, solid or chemical in any vehicle or on or about his person or in his place of business without a permit therefor as provided by this article.

(Code 1965, § 58A-2)

**Alaska**



### **AS 11.81.900. Definitions.**

(20) "defensive weapon" means an electric stun gun, or a device to dispense mace or a similar chemical agent, that is not designed to cause death or serious physical injury; sec. 26, eff. 1/1/2025

### **AS 11.61.210. Misconduct Involving Weapons in the Fourth Degree.**

(a) A person commits the crime of misconduct involving weapons in the fourth degree if the person

(7) other than a preschool, elementary, junior high, or secondary school student, knowingly possesses a deadly weapon or a defensive weapon, without the permission of the chief administrative officer of the school or district or the designee of the chief administrative officer, within the buildings of, on the grounds of, or on the school parking lot of a public or private preschool, elementary, junior high, or secondary school, on a school bus while being transported to or from school or a school-sponsored event, or while participating in a school-sponsored event, except that a person 21 years of age or older may possess

(A) a deadly weapon, other than a loaded firearm, in the trunk of a motor vehicle or encased in a closed container in a motor vehicle;

(B) a defensive weapon;

ch. 54, sec. 1, eff. 9/18/2013

## **Arkansas**

### **5-73-124 Tear Gas - Pepper Spray**

(a)(1) Except as otherwise provided in this section, any person who knowingly carries or has in his or her possession any tear gas or pepper spray in any form, or any person who knowingly carries or has in his or her possession any gun, bomb, grenade, cartridge, or other weapon designed for the discharge of tear gas or pepper spray, upon conviction is guilty of a Class A misdemeanor.

(2)(A) It is lawful for a person to possess or carry, and use, a container of tear gas or pepper spray to be used for self-defense purposes only.

(B) However, the capacity of the container shall not exceed three hundred milliliters (300 ml).

§ 1; 2011, No. 1168, § 2.

## **California**

**Penal Code 22810** Notwithstanding any other provision of law, any person may purchase, possess, or use tear gas or any tear gas weapon for the projection or release of tear gas if the tear gas or tear gas weapon is used solely for self-defense purposes, subject to the following requirements:

(a) No person convicted of a felony or any crime involving an assault under the laws of the United States, the State of California, or any other state, government, or country, or convicted of misuse of tear gas under subdivision (g), shall purchase, possess, or use tear gas or any tear gas weapon.

(b) No person addicted to any narcotic drug shall purchase, possess, or use tear gas or any tear gas weapon.

(c) No person shall sell or furnish any tear gas or tear gas weapon to a minor.

(d) No minor shall purchase, possess, or use tear gas or any tear gas weapon.

(e) (1) No person shall purchase, possess, or use any tear gas weapon that expels a projectile, or that expels the tear gas by any method other than an aerosol spray, or that contains more than

2.5 ounces net weight of aerosol spray.

(2) Every tear gas container and tear gas weapon that may be lawfully purchased, possessed, and used pursuant to this section shall have a label that states: "WARNING: The use of this substance or device for any purpose other than self-defense is a crime under the law. The contents are dangerous – use with care." 2010, Ch. 711, Sec. 10.

## District of Columbia

It is legal to possess self-defense sprays in the District of Columbia, such as mace or pepper spray.

However, under D.C. Official Code § 7-2502.12, the only legal types of self-defense sprays are “a mixture of a lacrimator including chloroacetophenone, alpha-chloroacetophenone, phenylchloromethylketone, orthochloriobenazaim-alononitrile or oleoresin capsicum.”

Additionally, the self-defense spray must be propelled from an aerosol container, labeled with clearly written instructions for use, and dated with its anticipated useful life. A person may use a self-defense spray only as reasonable force to defend themselves or their property and only if the self-defense sprays meets the requirements above. See [DC Metro Police](#) for more Information.

## Delaware

### Wilmington, DE

#### Chapter 36, Article V , Division 2

#### [Sec. 36-161.](#) - Stun Guns, etc.

(a) It shall be unlawful for any person to manufacture, make, deliver, transport, trade, give, sell, or possess a converted tear gas gun, stun gun or taser gun.

(b) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

(Ord. No. 92-053(sub 1), § 26(j)(4)(39-19.4), 7-2-92

## Florida

#### [790.001](#) (3)(b) Definitions.

(4)(b) "Tear gas gun" or "chemical weapon or device" means any weapon of such nature, except a device known as a "self-defense chemical spray." "**Self-defense chemical spray**" means a device carried solely for purposes of lawful self-defense that is compact in size, designed to be carried on or about the person, and contains not more than two ounces of chemical. [HB 543 2023](#)

#### [790.053](#) Open carrying of weapons.

(2) A person may openly carry, for purposes of lawful self-defense:

(a) A self-defense chemical spray. [HB 543 2023](#)

## Hawaii

### Honolulu County, HI

Includes - Island of O‘ahu

### **Sec. 41-37.1 Definitions.**

**“Chemical device”** means any aerosol container or other device that is capable of emitting chloroacetaphenone (CN), orthochlorobenzalmalononitrile (CS), or oleoresin capsicum (OC), or any combination or derivative thereof, in a vapor or liquid form.

**“Pepper spray”** means any aerosol container or other device designed to fit into a handbag or a pants pocket and has a trigger-guard, flip top or other mechanism to prevent the accidental release of the spray, that:

- (1) is capable of emitting oleoresin capsicum (OC), or any derivative thereof, in a vapor or liquid form;
- (2) contains only the chemical substance oleoresin capsicum, or any derivative thereof, **without containing chloroacetaphenone (CN) or orthochlorobenzalmalononitrile (CS)**; and (3) contains a non-flammable propellant and/or carrier.

Added by Ord. 95-49

### **Sec. 41-37.3 Restrictions on Possession, Sale, and Use of Pepper Sprays.**

(a) It is unlawful for any person to use any pepper spray for any purpose except:

- (1) Self-defense;
- (2) Defense of another person; or
- (3) Protection of property of the person or of another person.

(b) It is unlawful for any person to sell or offer for sale any pepper spray in the city without a license obtained pursuant to Section 41-37.4.

(c) It is unlawful for any person to sell, offer for sale or otherwise furnish any pepper spray to a minor in the city.

(d) It is unlawful for a minor to purchase, possess or use any pepper spray in the city.

(e) It is unlawful to sell or offer for sale any pepper spray on premises where liquor or alcoholic beverages are consumed.

(f) It is unlawful for any person to alter the manufacturer’s name on any pepper spray to be carried or used in the city.

(Added by Ord. 95-49)

## **Hawaii County, HI**

### **Section 14-8. Possession and Use of Obnoxious Substance Prohibited.**

(a) No person shall use a shell, cartridge, bomb, gun, or other device capable of emitting any liquid, gaseous, or solid substance or any combination thereof, which is injurious to a person or property, or which is nauseous, sickening, irritating or offensive to any of the senses; to injure, molest, discomfort, discommode, or coerce another in the use or control of their person or property or engage in a “crime of violence” as defined in Hawai‘i Revised Statutes Title 37, which involves injury or threat of injury to the person or property of another.

(b) No person shall possess, discharge, use, transport, sell, or offer to sell any shell, cartridge, bomb, gun, or other device capable of emitting chloroacetophenone (CN), orthochlorobenzylmalononitrile (CS), or their derivatives in any form.

(1983 CC, c 14, art 2, sec 14-8; am 1995, ord 95-90, sec 2.)

## **Kaua‘i County HI**

### **§ 22-15.2 Restrictions on Possession and Use of Pepper Spray.**

**(a)** No person shall use or possess pepper spray in a volume greater than two (2) ounces.

**(b)** A person may possess and use pepper spray stored in any aerosol container or other device with a maximum volume of two (2) ounces, which is designed to fit into a handbag or a pants pocket. The container or device must have a mechanism to prevent the accidental release of the spray, and the container or device must use a nonflammable propellant or carrier. It is unlawful for any person to use pepper spray for any purpose, except:

**(1)** Self-defense;

**(2)** Defense of another person; or

**(3)** Protection of property of the person or of another person.

## Illinois

### **720 ILCS 5/24-1 Unlawful Possession of Weapons.**

**(3)** Carries on or about his person or in any vehicle, a tear gas gun projector or bomb or any object containing noxious liquid gas or substance, other than an object containing a non-lethal noxious liquid gas or substance designed solely for personal defense carried by a person 18 years of age or older;

HB 4500 2024

## Massachusetts

### **Part I, Title XX, Chapter 140**

#### **Section 122C**

**(a)** As used in this section and section 122D, "self-defense spray" shall mean chemical mace, pepper spray or any device or instrument which contains, propels or emits a liquid, gas, powder or other substance designed to incapacitate.

**(b)** Whoever, not being licensed as provided in section 122B, sells self-defense spray shall be punished by a fine of not more than \$1,000 or by imprisonment in a house of correction for not more than 2 years.

**(c)** Whoever sells self-defense spray to a person younger than 18 years of age, if the person younger than 18 years of age does not have a firearms identification card, shall be punished by a fine of not more than \$300.

**(d)** A person under 18 years of age who possesses self-defense spray and who does not have a firearms identification card shall be punished by a fine of not more than \$300.

**Note:** Those 18 and older do not need a FOID Card)

## Michigan

### **750.224d**

**(1)** As used in this section and section 224, "self-defense spray or foam device" means a device to which all of the following apply:

**(a)** The device is capable of carrying, and ejects, releases, or emits 1 of the following:

**(i)** Not more than 35 grams of any combination of orthochlorobenzalmalononitrile and inert ingredients.

- (ii) A solution containing not more than 18% oleoresin capsicum.
- (iii) A solution containing an ultraviolet dye and not more than 18% Oleoresin Capsicum.

(b) The device does not eject, release, or emit any gas or substance that will temporarily or permanently disable, incapacitate, injure, or harm a person with whom the gas or substance comes in contact, other than the substance described in subdivision (a)(i) or (iii).

(2) Except as otherwise provided in this section, a person who uses a self-defense spray or foam device to eject, release, or emit orthochlorobenzalmalononitrile or oleoresin capsicum at another person is guilty of a misdemeanor, punishable by imprisonment for not more than 2 years, or a fine of not more than \$2,000.00, or both.

(3) If a person uses a self-defense spray or foam device during the commission of a crime to eject, release, or emit orthochlorobenzalmalononitrile or oleoresin capsicum or threatens to use a self-defense spray or foam device during the commission of a crime to temporarily or permanently disable another person, the judge who imposes sentence upon a conviction for that crime shall consider the defendant's use or threatened use of the self-defense spray or foam device as a reason for enhancing the sentence.

(4) A person shall not sell a self-defense spray or foam device to a minor. A person who violates this subsection is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$500.00, or both.

(5) Subsection (2) does not prohibit either of the following:

(a) The reasonable use of a self-defense spray or foam device containing not more than 18% oleoresin capsicum by a person who is employed by a county sheriff or a chief of police and who is authorized in writing by the county sheriff or chief of police to carry and use a self-defense spray or foam device and has been trained in the use, effects, and risks of the device, while in performance of his or her official duties.

(b) The reasonable use of either of the following by a person in the protection of a person or property under circumstances that would justify the person's use of physical force:

- (i) A self-defense spray or foam device containing not more than 18% oleoresin capsicum.
- (ii) A self-defense spray or foam device containing an Ultraviolet dye and not more than 18% oleoresin capsicum.

2018, Act 98, Imd. Eff. Apr. 2, 2018

## Minnesota

### **624.731 Tear Gas and Tear Gas Compounds; Electronic Incapacitation Devices. Subdivision**

**1. Definitions.** For the purposes of this section:

#### **Subd. 2. Authorized Possession; Use.**

(a) A person may possess and use an authorized tear gas compound in the exercise of reasonable force in defense of the person or the person's property only if it is propelled from an aerosol container, labeled with or accompanied by clearly written instructions as to its use and the dangers involved in its use, and dated to indicate its anticipated useful life.

#### **Subd. 3. Prohibited possession; use.**

(a) No person under the age of 16 may possess or use an authorized tear gas compound except by written permission of a parent or guardian, and no person under the age of 18 may possess or use an electronic incapacitation device.

(d) No person shall possess or use tear gas or a tear gas compound other than an authorized tear gas compound.

2009 c 86 art 1 s 85

## Nevada

**NRS 202.370 Definitions.** As used in NRS 202.370 to 202.440, inclusive:

The provisions of NRS 202.370 to 202.440, inclusive, do not apply to the sale or purchase by any adult, or the possession or use by any person, including a minor but not including a convicted person as defined in NRS 179C.010, of any form of:

(a) Cartridge which contains not more than 2 fluid ounces in volume of “CS” tear gas that may be propelled by air or another gas, but not an explosive, in the form of an aerosol spray;

Note: The Nevada Laws on Chemical Sprays are long and wordy. Handgunlaw.us recommends you read all of NRS 202.370 to 202.440 if you plan on carrying a Self Defense Chemical Spray.

## New Jersey

**2C:39-6 (i) (1)** Nothing in N.J.S.2C:39-5 shall be construed to prevent any person who is 18 years of age or older and who has not been convicted of a crime, from possession for the purpose of personal self-defense of one pocket-sized device which contains and releases not more than three-quarters of an ounce of chemical substance not ordinarily capable of lethal use or of inflicting serious bodily injury, but rather, is intended to produce temporary physical discomfort or disability through being vaporized or otherwise dispensed in the air. Any person in possession of any device in violation of this subsection shall be deemed and adjudged to be a disorderly person, and upon conviction thereof, shall be punished by a fine of not less than \$100.

2022, c.131, s.8

## New York

### **Penal Code § 265.20**

**14.** Possession in accordance with the provisions of this paragraph of a self-defense spray device as defined herein for the protection of a person or property and use of such self-defense spray device under circumstances which would justify the use of physical force pursuant to article thirty-five of this chapter.

(a) As used in this section "self-defense spray device" shall mean a pocket sized spray device which contains and releases a chemical or organic substance which is intended to produce temporary physical discomfort or disability through being vaporized or otherwise dispensed in the air or any like device containing tear gas, pepper or similar disabling agent.

(b) The exemption under this paragraph shall not apply to person who:

(i) is less than eighteen years of age; or

(ii) has been previously convicted in this state of a felony or any assault; or



(iii) has been convicted of a crime outside the state of New York which if committed in New York would constitute a felony or any assault crime.

**15** Possession and sale of a self-defense spray device as defined in paragraph fourteen of this subdivision by a dealer in firearms licensed pursuant to section 400.00 of this chapter, a pharmacist licensed pursuant to article one hundred thirty-seven of the education law or by such other vendor as may be authorized and approved by the superintendent of state police.

(a) Every self-defense spray device shall be accompanied by an insert or inserts which include directions for use, first aid information, safety and storage information and which shall also contain a toll free telephone number for the purpose of allowing any purchaser to call and receive additional information regarding the availability of local courses in self-defense training and safety in the use of a self-defense spray device.

(b) Before delivering a self-defense spray device to any person, the licensed or authorized dealer shall require proof of age and a sworn statement on a form approved by the superintendent of state police that such person has not been convicted of a felony or any crime involving an assault. Such forms shall be forwarded to the division of state police at such intervals as directed by the superintendent of state police. Absent any such direction the forms shall be maintained on the premises of the vendor and shall be open at all reasonable hours for inspection by any peace officer or police officer, acting pursuant to his or her special duties. No more than two self-defense spray devices may be sold at any one time to a single purchaser.

\*ch. 371, Sec. 6, eff. 9/1/2022

## **New York City**

**§ 10-131 Firearms.** (Covers Chemical Sprays also)

### **E. Tear Gas; Sale or Possession of; Fees For Permits**

Illegal to possess in NYC. You can obtain a license to carry such sprays but you must apply to the police for that permit. You should read all of **§ 10-131 3e** as it states the law and costs etc.

Am. L.L. 2020/080, 8/28/2020

## **North Carolina**

**§ 14-401.6. Unlawful to Possess, Etc., Tear Gas Except for Certain Purposes.**

(a) It is unlawful for any person, firm, corporation or association to possess, use, store, sell, or transport within the State of North Carolina, any form of that type of gas generally known as "tear gas," or any container or device for holding or releasing that gas; except this section does not apply to the possession, use, storage, sale or transportation of that gas or any container or device for holding or releasing that gas:

(7) For use in the home for protection and elsewhere by individuals, who have not been convicted of a felony, for self-defense purposes only, as long as the capacity of any:

- a. Tear gas device or container does not exceed 150 cubic centimeters,
- b. Tear gas cartridge or shell does not exceed 50 cubic centimeters, and
- c. Tear gas device or container does not have the capability of discharging any cartridge, shell, or container larger than 50 cubic centimeters.

(b) Violation of this section is a Class 2 misdemeanor.

(c) Tear gas for the purpose of this section shall mean any solid, liquid or gaseous substance or combinations thereof which will, upon dispersion in the atmosphere, cause tears in the eyes, burning

of the skin, coughing, difficulty in breathing or any one or more of these reactions and which will not cause permanent damage to the human body, and the substance and container or device is designed, manufactured, and intended to be used as tear gas. 2011-183, s. 12.)

## North Dakota

**62.1-01-01. & 62.1-02-04.** Are the laws covering Defensive Sprays and Stun Guns.

From the **ND AG's General FAQs**

### Stun Guns and Defense Sprays

Stun guns and defense sprays (such as pepper spray) are exempt from the definition of "dangerous weapons" and therefore you do not need a concealed weapon license to carry those items concealed (e.g., in a purse or bag, under clothing, under the vehicle seat or in the vehicle's glove box) within North Dakota.

### Tasers

A Taser that only delivers a single application of voltage is not considered a dangerous weapon and may be carried without a concealed weapon license. However, if the Taser is capable of delivering multiple applications of voltage, you must have a concealed weapon license.

## Ohio

Some Ohio cities have laws concerning Stun Devices. Legal, subject to restrictions.

## Pennsylvania:

**Title 18, §908.1** Use or Possession of Electric or Electronic Incapacitation Device.

- (c) **Self defense.**--A person may possess and use an electric or electronic incapacitation device in the exercise of reasonable force in defense of the person or the person's property pursuant to Chapter 5 (relating to general principles of justification) if the electric or electronic incapacitation device **is labeled with or accompanied by clearly written instructions as to its use and the damages involved in its use.**

2002, P.L.1096, No.132,

## South Carolina

**23-31-215** Issuance of Permits

(O)(1) A permit issued pursuant to this article is not required for a person:

- (a) carrying a self-defense device generally considered to be nonlethal including the substance commonly referred to as "pepper gas"; or
- (b) carrying a concealable weapon in a manner not prohibited by law.

The availability of a permit to carry a concealable weapon under this section must not be construed to prohibit the permitless transport or carrying of a firearm in a vehicle or on or

about one's person, whether openly or concealed, loaded or unloaded, in a manner not prohibited by law.

[H 3594 2024](#)

### **SECTION 16-23-470. Illegal Possession of Tear-Gas Gun or Ammunition.**

(A) It is unlawful for anyone except an authorized law enforcement officer to possess, use, transport, sell, or buy a tear-gas machine or gun, or its parts, or any ammunition, shells, or equipment that may be used in a tear-gas gun or machine. It is lawful for a person for self-defense purposes only to possess, use, transport, sell, or buy a tear-gas machine or gun, or its parts, or ammunition, shells, or equipment for a tear-gas machine or gun, but the capacity of a tear-gas cartridge, shell, or container shall not exceed fifty cubic centimeters nor shall a tear-gas machine or gun have the capability of shooting a cartridge, shell, or container of more than fifty cubic centimeters.

(B) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than three years or fined not more than five thousand dollars, or both.

1993 Act No. 184, Section 191.

## **Texas**

### **Penal Code 46.01 Definitions**

(14) "Chemical dispensing device" means a device, other than a small chemical dispenser sold commercially for personal protection, that is designed, made, or adapted for the purpose of dispensing a substance capable of causing an adverse psychological or physiological effect on a human being. (Must be 18)

Acts 2021, 87th Leg., R.S., Ch. 1026 (H.B. [v1069](#))

**Note:** A man was arrested for having a 4 oz chemical spray that said Police on it. He was released and no charges were filed. Small to some is large to others. Something with Police Grade etc may get you in trouble. Stay with what is a small container, 4 oz or less and sold for personal safety.

## **West Virginia**

### **§61-7-2. Definitions**

(5) .....The term "deadly weapon" does not include pepper spray as defined in subdivision (12) of this subsection when used by any person solely for self-defense purposes.

(12) **"Pepper spray"** means a temporarily disabling aerosol that is composed partly of **capsicum oleoresin** and causes irritation, blinding of the eyes, and inflammation of the nose, throat, and skin that is **intended for self-defense use**.

2023 Acts, ch. 329 SB 608

### **§61-6-19. Willful Disruption of Governmental Processes; Offenses Occurring at State Capitol Complex; Penalties.**

(b) It is unlawful for any person to bring upon the State Capitol Complex any weapon as defined in §61-7-2 of this code: Provided, That a person who may lawfully possess a firearm may keep a firearm in his or her motor vehicle upon the State Capitol Complex if the vehicle is locked and the weapon is out of normal view. *Provided, however,* That a person may not carry upon the State Capitol Complex, **a canister of pepper spray as defined in §61-7-2 of this code that exceeds one ounce.....** Violation is a misdemeanor.

2020 Acts, ch. TBD (SB 46), eff. 5/11/2020.

## Wisconsin

### **941.295 Possession of electric weapon.**

(1m) Whoever sells, transports, manufactures, possesses or goes armed with any electric weapon is guilty of a Class H felony.

(2) Subsection (1m) does not apply to any of the following:

1. A person specified in pars. (a) to (c), person specified in sub. (2g) (c), a licensee, or an out-of-state licensee.
2. A person for use in his or her dwelling or place of business or on land that he or she owns, leases, or legally occupies

(2g) The prohibition in sub. (1m) on possessing or going armed with an electric weapon does not apply to any of the following:

- (a) A licensee or an out-of-state licensee.
- (b) An individual who goes armed with an electric weapon in his or her own dwelling or place of business or on land that he or she owns, leases, or legally occupies.
- (c) An individual who has a license or permit issued under s. 440.26, who is on official duty, and who may carry a firearm under rules promulgated under s. 440.26 (3m). 2020 per Assmb. Bill 135

### **Laws Still in Effect**

- |  |                     |
|--|---------------------|
| • Oleoresin of Capsicum or CS Gel                                  | Class A misdemeanor |
| • 18 years old to purchase   | Class E forfeiture  |
| • Use only in self defense   | Class A misdemeanor |
| • Not for use against a peace officer                              | Class H felony      |
| • Not for use in a crime   | Class H felony      |
| • Felons cannot possess  | Class A misdemeanor |
| • Seller must provide proper label and written safety instructions | Class A misdemeanor |

### **Updates to this Page**

#### **Archive of Previous Updates** 4

**9/17/2022** – Notice Added to DC Entry in Higher Cap Magazines Section.

**10/8/2022** – CT Legislative Research on Carrying Electric Weapons Added to CT Entry Under Stun Gun Section.

**11/15/2022** – All Quoted Law Sections Up to Date With Their State Statutes Updated as of 11/2022.

**12/1/2022** – Hawaii County HI Ordinance Added to Chemical Sprays Section.

**1/12/2023** - Illinois High Capacity Magazine Ban Added to Illinois Entry.

**2/3/2023** – Notice on TRO Added to Illinois Entry in High Capacity Mag Bans or Restricted Section.

**5/1/2023** – Illinois Entry Under Magazine Bans Updated Due to Court Ruling.

**5/6/2023** – Illinois Entry Under Magazine Bans Updated Due to Court Granting Stay on Previous Order..

**7/1/2023** – All Links Checked.

**8/10/2023** – Texas Entry Added in Under Chem Sprays Section.

**11/1/2023** – Mississippi Stun Gun Carry Only With Permit Statute Repealed.

**1/1/2024** – Nevada Chem Spray Entry Updated.

**9/10/2024** – All External Links, Statutes and Admin Rules Quoted Have Been Checked and are up to Date and Point to the Most Up to Date Edition of that Statute/Admin Rule and/or Document. Format Updated.