

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

[Magazine Restrictions](#)

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[Stun Gun Restrictions](#)

**High Capacity Magazine Banned or Restricted**

**Last Updated: 5/5/17**

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

**California**

**Large Capacity Magazines**

With limited exceptions, California law prohibits any person from manufacturing, importing into the state, keeping for sale, offering or exposing for sale, giving, or lending any large capacity magazine. Cal. Penal Code § 12020(a)(2), (b). A "large capacity magazine" is defined as any ammunition feeding device with the capacity to accept more than ten rounds, but does not include any .22 caliber tube ammunition feeding device, any feeding device that has been permanently altered so that it cannot accommodate more than ten rounds, or any tubular magazine that is contained in a lever-action firearm. Section 12020(c)(25). California does not ban the *possession* of large capacity magazines.

Upon a showing of good cause, the California Department of Justice may issue permits for the possession, transportation, or sale of large capacity ammunition magazines between a licensed California firearms dealer and an out-of-state customer. Section 12079(a). This requirement applies for only the out-of-state importation and exportation of large capacity ammunition magazines, including the transportation of such magazines as necessary to complete a transfer to or from an out of state source. See Cal. Code Regs. tit. 11, § 978.40.

Large capacity magazines may be manufactured for any federal, state, or local government or law enforcement agency, or for use by agency employees in the discharge of their official duties, whether on or off duty. Section 12020(b)(30). Large capacity magazines may also be purchased or loaned for the sole use as a motion picture, television or video prop. Section 12020(b)(31), (32)(A). Such magazines may also be resold to law enforcement agencies, government agencies, or the military, pursuant to applicable federal regulations. Section 12020(b)(32)(C).

For additional large capacity ammunition magazine regulations, see Cal. Code Regs. tit. 11, §§ 978.40-978.44.

## **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.

**(b) Possession Prohibited; Exceptions.** No person, firm, corporation or other entity may possess Prohibited Ammunition within the City and County of San Francisco, except that this subsection shall not apply to the otherwise-lawful possession of Prohibited Ammunition by the following:

- (1) Peace officers in possession of Prohibited Ammunition issued to them by their employing agency;
- (2) Federal law enforcement officers or other federal employees in possession of Prohibited Ammunition issued to them by their employing agency;
- (3) Members of the armed forces of the United States in possession of Prohibited Ammunition issued to them by the military agency to which they belong;
- (4) Patrol special police officers, animal control officers or zookeepers, harbor police officers, sheriff's security officers, or police security officers in possession of Prohibited Ammunition issued to them by their employing agencies; or,
- (5) Businesses licensed as firearms dealers under this Article in possession of Prohibited Ammunition for sale to law enforcement and military agencies. Agencies employing persons listed in subsection (b)(4) are considered law enforcement agencies for purposes of this Section.

**(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.

**Note:** The San Francisco PD stated to the NRA that this ban only covered "Black Talon" ammunition and no other hollow point 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.

### **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.

**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)

**Las Angeles Magazine Ban** (Law takes effect November 19, 2015.)

### **Chapter IV**

#### **Sec. 46.30. Large-Capacity Magazines - Possession Prohibited.**

##### **(a) Definitions.**

(1) "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:

(i) A feeding device that has been permanently altered so that it cannot accommodate more than 10 rounds.

(ii) A .22 caliber tube ammunition feeding device.

(iii) A tubular magazine that is contained in a lever-action firearm.

##### **(b) Prohibition on Possession of Large-Capacity Magazines**

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

(2) Any person who, prior to the effective date of this article, was legally in possession of a large-capacity magazine shall have 60 days from such effective date to do any of the following without being subject to prosecution:

- (i) Remove the large-capacity magazine from the City of Los Angeles;
- (ii) Surrender the large-capacity magazine to the Los Angeles Police Department for destruction;
- (iii) Sell or transfer the large-capacity magazine lawfully in accordance with Section 32410 of the California Penal Code.

(d) **Penalty.** Violation of this section shall constitute a misdemeanor.

### **Oakland Magazine Ban**

#### **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:

- 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.

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

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

2. 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:

- a. Remove the large-capacity magazine from the City of Oakland;
- b. Surrender the large-capacity magazine to the Oakland Police Department for destruction;
- c. Sell or transfer the large-capacity magazine lawfully in accordance with Section 32410 of the California Penal Code.

**Note:** New Ordinance is not codified into the Oakland Ordinances as of 5/2/16. Handgunlaw.us has a full copy you can read [Here](#).

### **Colorado & City of Denver**

### **High Capacity Ammunition Magazines**

**The New Law below becomes effective 7/1/13.**

#### **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 or 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.

### **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) any person who violates subsection (1) of this section after having been convicted of a prior violation of said subsection (1) commits a class 1 misdemeanor.

(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 the effective date of this section; 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.

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. 38-130.](#) - Assault Weapons.**

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

d. Any firearm which has been modified to be operable as an assault weapon as defined herein.

e. 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 (21) 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.

**Note:** With the new State Mag limitations starting 7/1/13 the Denver Ordinance will most likely be amended to state 15 rounds. Even with their ordinance stating 21 rounds after 7/1/13 the state limit will be 15.

## Connecticut

### Higher Capacity Magazine Laws:

[Bill No. 1160 LCO No. 5428 January 2013 Session](#) (The listed parts of the bill below are effective Immediately. Other parts of the bill have effective dates of Immediately, 7/1/13, 10/1/13 & 1/1/14) The CT State Police have put out FAQs on the new law that you can read [Here](#).

**29-38m.** .... "magazine" means any firearm magazine, belt, drum, feed strip or similar device that accepts ammunition.....

**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: (1) Any person who possesses a large capacity magazine on or after January 1, 2014, that was obtained prior to April 5, 2013, shall commit an infraction and be fined not more than ninety dollars for a first offense and shall be guilty of a class D felony for any subsequent offense, and (2) any person who possesses a large capacity

magazine on or after January 1, 2014, that was obtained on or after April 5, 2013, shall be guilty of a class D felony.

**(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)

**Sec. 53-202d (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, 2014, 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 of the general statutes, as amended by this act; 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.

**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.

## **DC High Capacity Ammunition Magazines**

### **D.C. Official Code § 7-2506.01**

“(b) No person in the District 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.”

## **Hawaii High Capacity Ammunition Magazines**

“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.” Haw. Rev. Stat. § 134-8(c).

## **Illinois**

### **Aurora**

(§ 29-49) bans the possession, sale, or acquisition of large capacity feeding devices (magazines with a capacity of more than 15 rounds). With New State Preemption this would only apply to Long Guns.

### **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.

### **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). With New State Preemption this would only apply to Long Guns.

### **Oak Park**

(§§ 27-2-1 and 27-1-2) bans the possession and sale of large capacity feeding devices (magazines with a capacity of more than 10 rounds). With New State Preemption this would only apply to Long Guns.

### **Riverdale**

(§ 5.120.180 and 5.120.190) bans the possession, transfer, acquisition or manufacture of assault ammunition (a detachable magazine box with a capacity of “more than 35 rounds centerfire.”). With New State Preemption this would only apply to Long Guns.



**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](#).)

**4-301. (II)** a semiautomatic centerfire rifle that has a fixed magazine with the capacity to accept more than 10 rounds;

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

**(F)** “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.

**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.

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](#).

## **Massachusetts Large Capacity Feeding Devices**

The sale, offering for sale, transfer or possession of large capacity feeding devices for assault weapons (as defined under Mass. Gen. Laws ch. 140, § 121), is prohibited unless such device was lawfully possessed on September 13, 1994. Ch. 140, § 131M.

Under Massachusetts law, a “large capacity feeding device” is defined as: “(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.” Ch. 140, § 121. This does not include “an attached tubular device designed to accept, and capable of operating only with, .22 caliber ammunition.” *Id.*

Large capacity feeding devices designed for large capacity rifles and shotguns may be lawfully possessed by a holder of a Class A or B license to carry. Ch. 140, § 131(a), (b)(ii). Large capacity feeding devices designed for handguns may be possessed only by persons holding a Class A license to carry. Ch. 140, § 131(a).

The Massachusetts Secretary of Public Safety (“Secretary”) is required to compile and publish a roster of large capacity handguns, rifles, shotguns and feeding devices for those firearms, as those weapons and devices are defined in Ch. 140, § 121. Ch. 140, § 131 3/4. The Secretary may amend the roster upon his or her own initiative, upon the initiative of the Gun Control Advisory Board under Ch. 140, § 131 1/2, or upon the petition of any person seeking to place a weapon on or remove a weapon from the roster. Ch. 140, § 131 3/4.

## **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.**

y. "Large capacity ammunition magazine" means a box, drum, tube or other container which is capable of holding more than 15 rounds of ammunition to be fed continuously and directly there from into a semi-automatic firearm.

### **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.

## **New York Large Capacity Ammunition Feeding Device**

### **Large Capacity Ammunition Feeding Device**

#### **265.00**

23. "Large capacity ammunition feeding device" means a magazine, belt, drum, feed strip, or similar device, that

(A) Has a capacity of, or that can be readily restored or converted to accept, more than ten rounds of ammunition, OR

(C) Is obtained after the effective date of the chapter of the Laws of two thousand thirteen which amended this subdivision and 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.

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

**Title 6, Division 10 § 207. 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.~~

## **States Where Stun Devices Are Legal But With Some Restrictions:**

**Notice:** On March 21, 2016 in an 8-0 ruling the U.S. Supreme Court sent back to the lower courts of Massachusetts a ruling on their [Stun Gun Ban](#). Two justices quickly added, “The lower court’s ill treatment of Heller can not stand. The reasoning of the Massachusetts court poses a grave threat to the fundamental right of self-defense.” Handgunlaw.us will keep you informed about this ruling and its impact on Massachusetts and other states bans on Stun Guns.

**If a state is not listed it is legal to possess and carry a stun device.**

### **Connecticut - Title 53 Chapter 943 Sec. 53-206.**

Legal for Home/Business use, carrying prohibited.

### **California - 5 CCR § 100015**

Stun guns and TASERS are not permitted on the property of any state universities.

### **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.

### **Florida - 790.01 (4)(b)**

A nonlethal stun gun or dart-firing stun gun or other nonlethal electric weapon or device that is designed solely for defensive purposes. (Note: Non Lethal is the word that makes this law)

### **Georgia - 16-11-127.1 (a)(2)**

Illegal to carry within 1,000 feet of any real property owned by or leased to any public or private elementary school, secondary school, or school board and used for elementary or secondary education. Carry of a stun device on Georgia Colleges/Universities is legal for those 18 or older.

### **Illinois 430ILCS65/2 (from Ch. 38, par. 83-2)**

**Sec. 2.** Firearm Owner's Identification Card required; exceptions.

**(a) (1)** No person may acquire or possess any firearm, stun gun, or taser within this State without having in his or her possession a Firearm Owner's Identification Card previously issued in his or her name by the Department of State Police under the provisions of this Act. (Electric weapons can only be carried ready for use I your home or place of business. In all other places including automobiles they must be secured and not ready for use even if you have a permit to carry a firearm.)

**Iowa – Title XVI Chapter 702.7** - or any portable device or weapon directing an electric current, impulse, wave, or beam that produces a high-voltage pulse designed to immobilize a person is considered a dangerous weapon. You would most likely need a permit/license to carry a firearm to carry an electric stun device in Iowa.

### **Indiana - IC 35-41-1-8**

Handgun provisions applies to an electronic stun weapon or taser.

**Kansas - 72-89a01** Not allowed in schools. Same as a firearm.

**Maryland - Criminal Law Title 4. Weapon Crimes Subtitle 1. General Provisions**

**§ 4-109** Electronic control device

**(a)** Definitions.

(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.

### **Massachusetts - Stun Devices/Electric Weapons**

**Chapter 140: Section 131J** 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**. 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. This law does not become effective until 8/8/12.

**Mississippi § 45-9-101** Must be licensed to carry a stun gun.

**Minnesota - 624.731** "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. 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. (State Preempts Local Regulations)

**North Carolina - § 14-269.2** Not allowed to carry in schools.

**Note:** I have found references that state in NC you must carry a stun gun openly. **§ 14-269** states you can't carry a dangerous weapon concealed. Open Carry of a Stun Gun May be legal. Use Caution

**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 Information Page](#)

### **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 - § 2923.11** Some Ohio cities have laws concerning Stun Devices. Legal, subject to restrictions.

**Wisconsin - (Effective 11/1/11) 941.295 – (2) (d) 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.

**941.295 (2r)** The prohibition in sub. (1m) on transporting an electric weapon does not apply to any of the following:

- (a) A licensee or an out-of-state licensee.
- (b) An individual who is not a licensee or an out-of-state licensee who transports an electric weapon if the electric weapon is enclosed within a carrying case.

## States Where Stun Devices Are Illegal:

**Hawaii - §134-16**

**New Jersey - 2C:39-3. Stun Devices/Electric Weapons are Illegal in New Jersey.**

The US District Court has ruled the New Jersey Stun Gun/Taser Ban is Unconstitutional. The State still has 180 days (Until late October 2017) to pass Statutes/Administrative rules on possession and or carrying such devices. [Court Ruling.](#)

**New York - § 265.01**

**Rhode Island - § 11-47-42**

## Cities/Counties Where Stun Devices Are Illegal:

**Baltimore, MD - City Code 115**

**Chicago, IL Chicago Code 8-24-020**

**New Castle County, DE - Sec. 22.03.009.**

**New York City, NY - Administrative Code 10-135**

**Philadelphia, PA - Ordinance. Statute 10-825**

**Wilmington, DE - Ordinance 36-161**

**Newark, DE - Ordinance 31-5**

**Ruston, WA - Ordinance 9.11.015**

**Ocean City, MD - Sec. 58-162**

## States/Cities Where Chemical Sprays Are Restricted or Have Some Restrictions

**If state is not listed then a defensive chemical spray for self defense is legal to carry.**

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

**Alaska: 11.81.900 (a)(18)** not designed to cause death or serious physical injury .... **11.61.210 (a)(6)** prohibits the sale of a defensive weapon to a person under 18 years of age. (Note: some sellers of Pepper Spray state that the container can not exceed 150cc)

**Arkansas: 5-73-124** legal to possess "... a small container of **tear gas** or **pepper spray** to be used for **self-defense** purposes only, but the capacity of the cartridge or container shall not exceed one hundred fifty cubic centimeters (150cc)"

**California:**

**PC 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."

**DC: 7-2502.14** Self-defense sprays are lawful if used or possessed by a person 18 or over "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 dated to indicate its anticipated useful life

**Hawaii:** Only OC products are legal for use by or sale to persons 18 and over. There is a ½ ounce size restriction and there are licensing requirements.

**Illinois: 720 ILCS 5/24-1** The use of a product "...containing a non-lethal noxious liquid gas or substance designed solely for personal defense carried by a person 18 years of age or older"

**Massachusetts: Chapter 140, Section 121** Massachusetts residents may only purchase defense sprays from licensed Firearms Dealers in that state. The licensing authority is the local chief of police or other persons authorized by the locality.

**Michigan: 750.224d. 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 10% oleoresin capsicum.

**Note:** The Device can not have a combination of ingredients.

**Minnesota: 624.731** any substance composed of a mixture of a lachrymator including chloroacetophenone, alpha-chloroacetophenone; phenylchloromethylketone,

orthochlorobenzalmalonitrile or oleoresin capsicum, commonly known as tear gas; and 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. (State Preempts Local Laws on Possession etc)

**Nevada: 202.370 Thru 202.440** Nevada law prohibits possession of tear gas weapons, except for CS by adult (no felons) with no more than 2 fluid ounces in the form of an aerosol spray “which is designed and intended for use as an instrument of self-defense”.

**New Jersey: 2C:39-6i** Any non-felon 18 or over may possess for the purpose of self-defense “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”.

**New York: Section 265.25 (14) and (15)** The possession of “self-defense sprays” by persons who are not felons or who have been convicted of an assault, 18 or over for the protection of person or property and its otherwise lawful use is legal. “Self-defense spray” is defined as “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 spray or similar disabling agent”. There are certain labeling requirements. Sales require both a seller’s license and the completion by a purchaser of a registration form. New York residents may only purchase defense sprays from licensed Firearms Dealers or licensed Pharmacists in that state. No more than two sprays may be sold at any one time to a single purchaser.

**North Carolina: 14-401.6.** Possession and use of self-defense sprays is lawful for non felons so long as the device does not exceed 150 cubic centimeters (150cc).

**Pennsylvania: Title 18, §908.1 Use or Possession of Electric or Electronic Incapacitation Device.** (b) **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.**

**South Carolina: 16-23-470** It is lawful to possess a container not exceeding fifty cubic centimeters (50cc) containing tear gas “for self-defense purposes only”.

**Wisconsin Statute 941.26**

(1) (b) Except as provided in sub. (4), no person may sell, possess, use or transport any tear gas bomb, hand grenade, projectile or shell or any other container of any kind or character into which tear gas or any similar substance is used or placed for use to cause bodily discomfort, panic, or damage to property.

(4) (a) Subsections (1) to (3) do not apply to any device or container that contains a combination of oleoresin of capsicum and inert ingredients but does not contain any other gas or substance that will cause bodily discomfort.

**Chemical Sprays:**

[www.handgunlaw.us](http://www.handgunlaw.us)



### **Wisconsin Statute [941.26](#)**

**(1) (b)** Except as provided in sub. (4), no person may sell, possess, use or transport any tear gas bomb, hand grenade, projectile or shell or any other container of any kind or character into which tear gas or any similar substance is used or placed for use to cause bodily discomfort, panic, or damage to property.

**(4) (a)** Subsections [\(1\)](#) to [\(3\)](#) do not apply to any device or container that contains a combination of oleoresin of capsicum and inert ingredients but does not contain any other gas or substance that will cause bodily discomfort.

Wisconsin Act 77 removed the Justice Department's ability to have rules on Self Defense Sprays.

### **Laws Still in Effect**

- OC and inert ingredients only  
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

### **Provisions on sprays in old rules that were eliminated**

- Minors cannot possess
- Ingredient ratio limits  
Only Michigan (11%) and Wisconsin (10%) have a limit
- Minimum and maximum spray range  
No other states have both range requirements
- No camouflage (disguised) canisters
- No direct or ready access provided by the seller
- Additional highlighted message to read safety instructions  
Weight restrictions

## **Cities**

**Mobile, Alabama- [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.

**Wilmington, Delaware.**

## **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:

**(1)** Converted tear gas gun means a tear gas gun which has been altered to fire a projectile with sufficient force to cause death or physical injury.

**(2)** Stun gun means any battery-powered, pulsed electrical device of high voltage and low or no amperage which, when pressed against a person, can disrupt the central nervous system and cause temporary loss of voluntary muscle control of such person.

**(3)** Taser gun means any device contained in a package which permits it to be handheld, containing an electrical supply unit, and into which an expendable plastic cassette may be inserted and which operates by shooting or projecting a ball, net, or dart carrying fine wires from the package to the target and which, upon hitting a person can send out current capable of disrupting the person's nervous system in such a manner as to render the person incapable of functioning normally.

**(c)** Any law enforcement officer while performing his lawful duties within the city shall be exempted from the effect of this section. For purposes of this section, the term "law enforcement officer" shall include police officers, the attorney general, the attorney general's deputies and investigators, the sheriff, and the sheriff's deputies, prison guards, constables and bailiffs.

**(d)** A conviction of violation of this section shall be punishable by a fine of not less than \$500.00 and not more than \$2,500.00 or by both such fine and imprisonment not exceeding six months. The minimum sentence of \$500.00 fine shall not be subject to suspension or reduction for any reason.

(Ord. No. 92-053(sub 1), § 26(j)(4)(39-19.4), 7-2-92) State law reference— Possession, sale, etc., of martial arts throwing star, 11 Del. C. § 1453.

## **Updates to this Page**

### **[Archive of Previous Updates](#)**

**12/10/16** – Massachusetts Entry On Stun Devices Updated.

**1/3/17** – NY Entry Updated.

**1/14/17** - North Dakota Entry in Stun Guns Section Updated.

**2/8/17** - Bellingham , WA Removed as City That Banned Stun Guns. Ordinance Repealed. All Links Checked and Repaired if Needed.

**2/24/16** – Howard County Maryland Removed as County That Banned Stun Guns. Ordinance Repealed.

**3/3/17** – Annapolis MD Removed as City that Banned Stun Guns. Ordinance Repealed.

**3/30/17** – DC Entries Updated. DC Repealed ban on Stun Guns and Registration of Chemical Sprays.

**4/7/17** – Baltimore Co. MD Repealed Their Stun Gun Ban. Entry Removed From Listing.

**4/27/17** – New Jersey Stun Gun/Taser Ban Entry Updated.

**5/5/17** – New Orleans Has Repealed Their Stun Gun Ban.