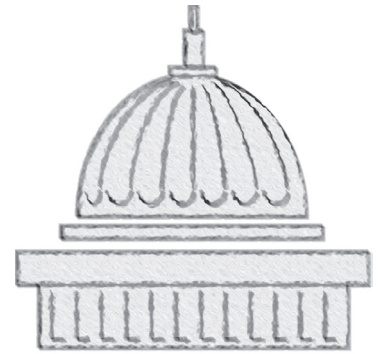


# *F. NRA / ILA Firearms Laws for*

## ARIZONA

(As of June, 2010)



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### A SYNOPSIS OF STATE LAWS ON PURCHASE, POSSESSION AND CARRYING OF FIREARMS.

#### QUICK REFERENCE CHART

	Rifles and Shotguns	Handguns
Permit to Purchase	No	No
Registration of Firearms	No	No
Licensing of Owners	No	No
Permit to Carry	No	Yes

#### STATE CONSTITUTIONAL PROVISION

“The right of the individual citizen to bear arms in defense of himself or the State shall not be impaired, but nothing in this section shall be construed as authorizing individuals or corporations to organize, maintain, or employ an armed body of men.” Article 2, Section 26.

#### PURCHASE

It is unlawful to sell or give to a minor, without written consent of the minor’s parent or legal guardian, a firearm or ammunition.

No state permit is required to purchase a shotgun, rifle, or handgun.

It is unlawful to sell or transfer a firearm to a “prohibited possessor.” (See definition under Possession.)

#### POSSESSION

No state permit is required to possess a shotgun, rifle or handgun.

It is unlawful for a “prohibited possessor” to possess a firearm.<sup>1</sup>

A prohibited possessor includes a person found to constitute a danger to himself or others pursuant to a court order and whose court ordered treatment has not been terminated; who has been convicted of a felony involving violence or possession and use of a deadly weapon or dangerous instrument and whose civil rights have not been

restored; who is at the time of possession serving a term of imprisonment in any correctional or detention facility; who at the time of possession is serving a term of probation pursuant to a conviction for a domestic violence offense or a felony offense, parole, community supervision, work furlough, home arrest or release on any other basis or who is serving a term of probation or parole; or who was previously adjudicated delinquent and who possesses, uses or carries a firearm within ten years from the date of adjudication or release for an offense that if committed as an adult would constitute first or second degree burglary, arson, murder, manslaughter, kidnapping, robbery, aggravated assault, sexual assault or any felony offense involving the use or threatening exhibition of a deadly weapon or dangerous instrument.

No person, other than a peace officer or a member of the military forces of the United States, shall knowingly possess a firearm on which the manufacturer’s serial number has been removed, altered or destroyed. This does not apply to possession by a museum as a part of its collection or an educational institution for educational purposes or by an authorized employee of such museum or institution or acquisition by gift, devise or descent or in a fiduciary capacity as a recipient of the property of an insolvent, incapacitated or deceased person.

An unemancipated person under 18 not accompanied by a parent, grandparent, guardian, or a certified hunter safety instructor or certified firearms safety instructor acting with consent of the minor’s parent, grandparent or guardian shall not carry or possess on his person, within his immediate control, or in or on a means of transportation a firearm in any place open to the public or on any street, highway, or on private property, except private property owned or leased by the minor or the minor’s parent, grandparent, or guardian. This prohibition does not apply to a person between 14 and 17 engaged in lawful hunting, marksmanship practice, transportation of an unloaded firearm for the purpose of hunting or, between 5:00 AM and 10:00 PM, transportation of an unloaded firearm for

the purpose of marksmanship at a range or other area where the discharge of firearms is not prohibited.

## CARRYING

No person shall carry a firearm “concealed on his person.” This does not apply to a person in his dwelling, business premises or on real property owned or leased by that person. A handgun carried in a belt holster which is wholly or partially visible or carried in luggage is not considered carrying concealed.

It is unlawful to carry a firearm concealed within the immediate control of any person in or on a means of transportation. This does not apply to firearms carried in a case, holster or scabbard in a means of transportation or a storage compartment, trunk, pack, luggage, or glove compartment of a means of transportation.

Exempt from these prohibitions are peace officers or any person summoned by a peace officer to assist and while actually assisting in the performance of official duties; on-duty military forces of the United States; a person specifically licensed, authorized or permitted pursuant to an Arizona or United States statute.

No person shall, unless specifically authorized by law, enter a public establishment or attend a public event carrying a firearm after a reasonable request by the operator of the establishment or the sponsor of the event to remove his firearm and place it in the custody of the operator or sponsor. This does not apply to shooting ranges or shooting events, hunting areas or similar locations or activities.

It is unlawful, unless specifically authorized by law, to enter an election polling place on the day of any election carrying a firearm.

It is unlawful to possess a deadly weapon on grade or high school grounds. This shall not apply to an unloaded firearm within a means of transportation under the control of an adult, provided, if the adult leaves the vehicle, it shall be locked and the unloaded firearm shall not be visible, or for a program approved by the school.

The Department of Public Safety shall issue a permit to carry a concealed weapon to a resident of the state at least 21 years old, a U.S. citizen, who satisfactorily completes an approved firearms safety program, submits fingerprints and a fee of \$60 for a new license and \$43 for a renewal, and who does not fall into a class of person prohibited to possess a firearm, such as a convicted felon, adjudicated mental incompetent, or illegal alien. The qualification checks shall be completed within 60 days of receipt of the application, and the permit will be issued within 15 working days after completing the checks. The permit is valid for not more than 5 years and is renewable every 5 years. Permits issued after August 11, 2005 are valid for 5 years.

The Department of Public Safety shall enter into reciprocal agreements with states that have substantially similar concealed weapons laws so that a concealed weapons

permit that is issued by either state may be used by the licensee or permittee within the jurisdiction of either state. Additionally, a person who is a resident of another state who does not have an Arizona permit and is temporarily in the state may carry a concealed weapon without an Arizona permit if the person is legally in the state and the person presents a valid permit from another state that has a fixed expiration date printed on the permit and the state of issue of the permit has disqualification, suspension, and revocation requirements.

A person with a concealed weapons permit may carry a concealed handgun on the premises of a liquor licensee who is an on-sale retailer unless the licensee posts a sign that clearly prohibits the possession of weapons on the licensed premises.

A property owner, tenant, public or private employer or business entity shall not establish, maintain or enforce a policy or rule that prohibits a person from lawfully transporting or lawfully storing any firearm that is in the person's locked and privately owned motor vehicle or in a locked compartment on the person's privately owned motorcycle and not visible from the outside of the motor vehicle or motorcycle.

## ANTIQUES/REPLICAS

Arizona statutes are silent on antique and replica firearms except that firearms in a permanently inoperable condition are not included within the definition of firearms and are therefore exempt from the weapon laws of Arizona. All other categories of antique or replica firearms are treated as ordinary firearms for possession and carrying purposes.

## MACHINE GUNS

A machine gun is defined as a firearm that is capable of shooting more than one shot automatically, without manual reloading, by a single function of the trigger.

It is unlawful to manufacture, possess, transport, sell, or transfer a machine gun. This does not apply to peace officers, members of the military forces of the United States or persons specifically licensed, authorized or permitted pursuant to an Arizona statute or the National Firearms Act. This also does not apply to any machine gun registered in the national firearms registry and transfer records of the U.S. Treasury Department or classified as a curio or relic by the U.S. Treasury Department.

The possession, transporting, selling or transferring of a machine gun by a museum as part of its collection or an educational institution for educational purposes or by an authorized employee of such museum or institution is not unlawful.

Authorized manufacturers or dealers may manufacture, possess, transport, sell, or transfer machine guns solely for or to a dealer or a regularly constituted or appointed

state or municipal police department or police officer, or a detention facility, or the military service of Arizona or the United States, or a museum or educational institution or a person specifically licensed or permitted pursuant to Arizona law or the National Firearms Act.

## MISCELLANEOUS

A political subdivision of this state shall not require or maintain a record in any form, whether permanent or temporary, including a list, log or database, of any of the following:

1. Any identifying information of a person who purchases or exchanges a weapon, who leaves a weapon for repair or sale on consignment or who leaves a weapon in temporary storage at any public establishment or public event.
2. Any identifying information of a person who sells or transfers a firearm, unless the person is a federally licensed firearms dealer.
3. The description, including the serial number, of a weapon that is purchased, sold, transferred, exchanged, left for repair or sale on consignment or left in temporary storage at any public establishment or public event.

A political subdivision shall not require the licensing or registration of firearms or prohibit the ownership, purchase, sale, or transfer of firearms. Ordinances relating to the transportation, possession, carrying, sale and use of firearms shall not be in conflict with state law. State law preempts the subject of minors carrying, possessing, or transporting firearms. No political subdivision may bring a civil liability action in any Arizona court against any firearm manufacturer.

It is unlawful to remove, alter or destroy the manufacturer's serial number on a firearm.

Discharge of a firearm within the limits of any municipality is unlawful except on a properly supervised range operated by a club affiliated with any nationally recognized shooting organization, or by an agency of the government or a public or private school, and in the case of air or carbon dioxide gas operated guns, or underground ranges on private or public property, such ranges may be operated with adult supervision; in an area recommended as a hunting area by the Arizona game and fish department, approved and posted as required by the chief of police; for the control of nuisance wildlife by permit, or by special permit of the chief of police of the municipality.

It is unlawful to recklessly handle, display, or discharge

a firearm with the intent to disturb the peace and quiet of a neighborhood, family or person.

No person shall discharge a firearm from a motor vehicle, including an automobile, aircraft, train or powerboat, or from a sailboat, boat under sail or floating object towed by powerboat or sailboat.

Wildlife may be taken in defense of self or another.

No person shall knowingly discharge a firearm upon, from, across or into a road or railway.

It is unlawful to discharge a firearm while taking wildlife within a quarter mile of an occupied farm house or other residence, cabin, lodge or building without the permission of the owner or resident.

It is unlawful to possess while hunting any contrivance designed to silence, muffle or minimize the report of a firearm.

It is unlawful for any person while taking wildlife or while in any hunting area to handle or discharge any firearm while intoxicated or in a careless or reckless manner or with wanton disregard for the safety of human life or property.

It is unlawful to carry or possess a firearm for taking game within or upon a game refuge except under seal or by written consent of the game commission. This shall not prevent landowners, lessees, permittees, their employees, or licensed trappers from carrying arms in the performance of their lawful duties.

It is unlawful to possess, transfer, or manufacture a rifle with a barrel under 16 inches or a shotgun with a barrel under 18 inches or any such firearm with an overall length under 26 inches. See exemptions under "Machine Guns."

SOURCES: Ariz. Rev. Statutes §§12-714, 13-2904, 13-3101, 13-3102, 13-3105, 13-31-07, 13 3109, 31-3112, 17-301,17-301.1, 17-305, 17-312.

<sup>1</sup>A firearm is defined as any loaded or unloaded pistol, revolver, shotgun or other weapon which will or is designed to or may readily convert to expel a projectile by the action of an explosive, except that it does not include a firearm in permanently inoperable condition.

**CAUTION:** Firearm laws are subject to frequent change and court interpretation. This summary is not intended as legal advice or restatement of law. This summary does not include federal or local laws, ordinances or regulations. For any particular situation, a licensed local attorney must be consulted for an accurate interpretation. **YOU MUST ABIDE WITH ALL LAWS: STATE, FEDERAL AND LOCAL.**

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