

State Statutes Regarding Taser Use

Alabama	<p><u>Section 13A-1-2 Definitions.</u></p> <p>(5) Dangerous Instrument. Any instrument, article, or substance which, under the circumstances in which it is used, attempted to be used, or threatened to be used, is highly capable of causing death or serious physical injury. The term includes a "vehicle," as that term is defined in subdivision (15).</p> <p>(7) Deadly Weapon. A firearm or anything manifestly designed, made, or adapted for the purposes of inflicting death or serious physical injury. The term includes, but is not limited to, a pistol, rifle, or shotgun; or a switch-blade knife, gravity knife, stiletto, sword, or dagger; or any billy, black-jack, bludgeon, or metal knuckles.</p> <p>(14) Serious Physical Injury. Physical injury which creates a substantial risk of death, or which causes serious and protracted disfigurement, protracted impairment of health, or protracted loss or impairment of the function of any bodily organ.</p>
Alaska	<p><u>Sec. 11.81.900. Definitions.</u></p> <p>(19) "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</p> <p><u>Sec. 11.61.200. Misconduct involving weapons in the third degree</u></p> <p>(a) A person commits the crime of misconduct involving weapons in the third degree if the person</p> <p>(9) communicates in person with another in violation of AS 11.56.740 [<i>Violating a protective order</i>] and, during the communication, possesses on the person a defensive weapon or a deadly weapon, other than an ordinary pocketknife</p> <p>(i) Misconduct involving weapons in the third degree is a class C felony.</p> <p><u>Sec. 11.61.210. Misconduct involving weapons in the fourth degree</u></p> <p>(a) A person commits the crime of misconduct involving weapons in the fourth degree if the person</p> <p>(6) knowingly sells a firearm or a defensive weapon to a person under 18 years of age;</p> <p>(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</p> <p style="padding-left: 40px;">(B) a defensive weapon;</p> <p>(8) being a preschool, elementary, junior high, or secondary school student, knowingly possesses a deadly weapon or a defensive weapon, 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 student may possess a deadly weapon, other than a firearm as defined under 18_U.S.C. 921, or a defensive weapon if the student has obtained the prior permission of the chief administrative officer of the school or district or the designee of the chief administrative officer for the possession.</p> <p>(d) Misconduct involving weapons in the fourth degree is a class A misdemeanor.</p>
Arizona	<p><u>§ 13-105. Definitions</u></p> <p>11. "Dangerous instrument" means anything that under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.</p> <p>12. "Deadly physical force" means force which is used with the purpose of causing death or serious physical injury or in the manner of its use or intended use is capable of creating a substantial risk of causing death or serious physical injury.</p> <p>13. "Deadly weapon" means anything designed for lethal use. The term includes a firearm.</p> <p>17. "Firearm" means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon which will or is designed to or may readily be converted to expel a projectile by the action of expanding gases, except that it does not include a firearm in permanently inoperable condition.</p> <p>34. "Serious physical injury" includes physical injury which creates a reasonable risk of death, or which causes serious and permanent disfigurement, serious impairment of health or loss or protracted impairment of the function of any bodily organ or limb.</p>
Arkansas	<p><u>§ 5-1-102. Definitions</u></p> <p>(4) "Deadly weapon" means:</p> <p style="padding-left: 40px;">(A) A firearm or anything manifestly designed, made, or adapted for the purpose of inflicting death or serious physical injury; or</p>

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	<p>(B) Anything that in the manner of its use or intended use is capable of causing death or serious physical injury</p> <p>(19) "Serious physical injury" means physical injury that creates a substantial risk of death or that causes protracted disfigurement, protracted impairment of health, or loss or protracted impairment of the function of any bodily member or organ</p>
California	<p><u>§ 244.5. Assault with stun gun or taser</u></p> <p>(a) As used in this section, "stun gun" means any item, except a taser, used or intended to be used as either an offensive or defensive weapon that is capable of temporarily immobilizing a person by the infliction of an electrical charge.</p> <p>(b) Every person who commits an assault upon the person of another with a stun gun or taser shall be punished by imprisonment in a county jail for a term not exceeding one year, or by imprisonment in the state prison for 16 months, two, or three years.</p> <p>(c) Every person who commits an assault upon the person of a peace officer or firefighter with a stun gun or taser, who knows or reasonably should know that the person is a peace officer or firefighter engaged in the performance of his or her duties, when the peace officer or firefighter is engaged in the performance of his or her duties, shall be punished by imprisonment in the county jail for a term not exceeding one year, or by imprisonment in the state prison for two, three, or four years.</p> <p>(d) This section shall not be construed to preclude or in any way limit the applicability of Section 245 in any criminal prosecution.</p> <p><u>§ 171b. Possessing weapon in state or local public building or public open meeting</u></p> <p>(a) Any person who brings or possesses within any state or local public building or at any meeting required to be open to the public pursuant to Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of, or Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of, the Government Code, any of the following is guilty of a public offense punishable by imprisonment in a county jail for not more than one year, or in the state prison:</p> <p>(5) Any taser or stun gun, as defined in Section 244.5.</p> <p><u>§ 171.5. Possession of specified weapon in sterile area of airport</u></p> <p>(b) It is unlawful for any person to knowingly possess within any sterile area of an airport, any of the items listed in subdivision (c).</p> <p>(c) The following items are unlawful to possess as provided in subdivision (b):</p> <p>(10) Any taser or stun gun, as defined in Section 244.5.</p> <p>(d) Subdivision (b) shall not apply to, or affect, any of the following:</p> <p><u>§ 626.10. Possession of other weapons in public or private educational institution; Exceptions</u></p> <p>(a) Any person, except a duly appointed peace officer as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, a full-time paid peace officer of another state or the federal government who is carrying out official duties while in this state, a person summoned by any officer to assist in making arrests or preserving the peace while the person is actually engaged in assisting any officer, or a member of the military forces of this state or the United States who is engaged in the performance of his or her duties, who brings or possesses any dirk, dagger, ice pick, knife having a blade longer than 2 1/2 inches, folding knife with a blade that locks into place, a razor with an unguarded blade, a taser, or a stun gun, as defined in subdivision (a) of Section 244.5, any instrument that expels a metallic projectile such as a BB or a pellet, through the force of air pressure, CO₂ pressure, or spring action, or any spot marker gun, upon the grounds of, or within, any public or private school providing instruction in kindergarten or any of grades 1 to 12, inclusive, is guilty of a public offense, punishable by imprisonment in a county jail not exceeding one year, or by imprisonment in the state prison.</p> <p><u>§ 12601. "Less lethal weapon"; "Less lethal ammunition"</u></p> <p>(a) "Less lethal weapon" means any device that is designed to or that has been converted to expel or propel less lethal ammunition by any action, mechanism, or process for the purpose of incapacitating, immobilizing, or stunning a human being through the infliction of any less than lethal impairment of physical condition, function, or senses, including physical pain or discomfort. It is not necessary that a weapon leave any lasting or permanent incapacitation, discomfort, pain, or other injury or disability in order to qualify as a less lethal weapon.</p> <p>(c) "Less lethal ammunition" means any ammunition that (1) is designed to be used in any less lethal weapon or any other kind of weapon (including, but not limited to, firearms, pistols, revolvers, shotguns, rifles, and spring, compressed air, and compressed gas weapons) and (2) when used in the less lethal weapon or other weapon is designed to immobilize or incapacitate or stun a human being through the infliction of any less than lethal impairment of physical condition, function, or senses, including physical pain or discomfort.</p> <p><u>§ 12650. "Stun gun"</u></p> <p>"Stun gun" as used in this chapter shall include any item, except a taser, used or intended to be used as either an offensive or defensive weapon capable of temporarily immobilizing a person by the infliction of an electrical charge.</p>

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Colorado	<p><u>18-12-101. Definitions</u> (i.5) "Stun gun" means a device capable of temporarily immobilizing a person by the infliction of an electrical charge. <u>18-12-106.5. Use of stun guns</u> A person commits a class 5 felony if he knowingly and unlawfully uses a stun gun in the commission of a criminal offense.</p>
Connecticut	<p><u>§ 53a-3. Definitions.</u> (20) "Electronic defense weapon" means a weapon which by electronic impulse or current is capable of immobilizing a person temporarily, but is not capable of inflicting death or serious physical injury <u>§ 53a-216. Criminal use of firearm or electronic defense weapon: Class D felony.</u> (a) A person is guilty of criminal use of a firearm or electronic defense weapon when he commits any class A, B or C or unclassified felony as defined in section 53a-25 and in the commission of such felony he uses or threatens the use of a pistol, revolver, machine gun, shotgun, rifle or other firearm or electronic defense weapon. No person shall be convicted of criminal use of a firearm or electronic defense weapon and the underlying felony upon the same transaction but such person may be charged and prosecuted for both such offenses upon the same information. (b) Criminal use of a firearm or electronic defense weapon is a class D felony for which five years of the sentence imposed may not be suspended or reduced by the court. <u>§ 53a-217. Criminal possession of a firearm or electronic defense weapon: Class D felony.</u> (a) A person is guilty of criminal possession of a firearm or electronic defense weapon when such person possesses a firearm or electronic defense weapon and (1) has been convicted of a felony, (2) has been convicted as delinquent for the commission of a serious juvenile offense, as defined in section 46b-120, (3) knows that such person is subject to a restraining or protective order issued by a court, after notice and an opportunity to be heard has been provided to such person, in a case involving the use, attempted use or threatened use of physical force against another person, or (4) knows that such person is subject to a firearms seizure order issued pursuant to subsection (d) of section 29-38c after notice and an opportunity to be heard has been provided to such person. For the purposes of this section, "convicted" means having a judgment of conviction entered by a court of competent jurisdiction. (b) Criminal possession of a firearm or electronic defense weapon is a class D felony, for which two years of the sentence imposed may not be suspended or reduced by the court. <u>§ 53-206. Carrying of dangerous weapons prohibited.</u> (a) Any person who carries upon one's person any BB. gun, blackjack, metal or brass knuckles, or any dirk knife, or any switch knife, or any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, or stiletto, or any knife the edged portion of the blade of which is four inches or over in length, any police baton or nightstick, or any martial arts weapon or electronic defense weapon, as defined in section 53a-3, or any other dangerous or deadly weapon or instrument, shall be fined not more than five hundred dollars or imprisoned not more than three years or both. Whenever any person is found guilty of a violation of this section, any weapon or other instrument within the provisions of this section, found upon the body of such person, shall be forfeited to the municipality wherein such person was apprehended, notwithstanding any failure of the judgment of conviction to expressly impose such forfeiture. (b) The provisions of this section shall not apply to (1) any officer charged with the preservation of the public peace while engaged in the pursuit of such officer's official duties; (2) the carrying of a baton or nightstick by a security guard while engaged in the pursuit of such guard's official duties; (3) the carrying of a knife, the edged portion of the blade of which is four inches or over in length, by (A) any member of the armed forces of the United States, as defined in section 27-103, or any reserve component thereof, or of the armed forces of this state, as defined in section 27-2, when on duty or going to or from duty, (B) any member of any military organization when on parade or when going to or from any place of assembly, (C) any person while transporting such knife as merchandise or for display at an authorized gun or knife show, (D) any person who is found with any such knife concealed upon one's person while lawfully removing such person's household goods or effects from one place to another, or from one residence to another, (E) any person while actually and peaceably engaged in carrying any such knife from such person's place of abode or business to a place or person where or by whom such knife is to be repaired, or while actually and peaceably returning to such person's place of abode or business with such knife after the same has been repaired, (F) any person holding a valid hunting, fishing or trapping license issued pursuant to chapter 490 or any salt water fisherman carrying such knife for lawful hunting, fishing or trapping activities, or (G) any person while participating in an authorized historic reenactment; (4) the carrying by any person enrolled in or currently attending, or an instructor at, a martial arts school of a martial arts weapon while in a class or at an authorized event or competition or while transporting such weapon to or from such class, event or competition; (5) the carrying of a BB. gun by any person taking part in a supervised event or competition of the Boy Scouts of America or the Girl Scouts of America or in any other authorized event or competition while taking part in such event or competition or while transporting such weapon to or from such event or competition; and</p>

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	<p>(6) the carrying of a BB. gun by any person upon such person's own property or the property of another person provided such other person has authorized the carrying of such weapon on such property, and the transporting of such weapon to or from such property.</p> <p><u>§ 53-206e. Limitation on sale and use of laser pointers.</u></p> <p>(a) As used in this section, "laser pointer" means a hand-held device that emits a laser light beam and is designed to be used by the operator to indicate, mark or identify a specific position, place, item or object.</p> <p>(b) No person shall sell, offer to sell, lease, give or otherwise provide a laser pointer to a person under eighteen years of age, except as provided in subsection (d) of this section.</p> <p>(c) No person under eighteen years of age shall possess a laser pointer on school grounds or in any public place, except as provided in subsection (d) of this section.</p> <p>(d) A person may temporarily transfer a laser pointer to a person under eighteen years of age for an educational or other lawful purpose provided the person to whom the laser pointer is temporarily transferred is under the direct supervision of a parent, legal guardian, teacher, employer or other responsible adult.</p> <p>(e) No person shall shine, point or focus a laser pointer, directly or indirectly, upon or at another person in a manner that can reasonably be expected to cause harassment, annoyance or fear of injury to such other person.</p> <p>(f) Any person who violates any provision of this section shall have committed an infraction.</p> <p><u>§ 29-38. Weapons in vehicles.</u></p> <p>(a) Any person who knowingly has, in any vehicle owned, operated or occupied by such person, any weapon, any pistol or revolver for which a proper permit has not been issued as provided in section 29-28 or any machine gun which has not been registered as required by section 53-202, shall be fined not more than one thousand dollars or imprisoned not more than five years or both, and the presence of any such weapon, pistol or revolver, or machine gun in any vehicle shall be prima facie evidence of a violation of this section by the owner, operator and each occupant thereof. The word "weapon", as used in this section, means any BB. gun, any blackjack, any metal or brass knuckles, any police baton or nightstick, any dirk knife or switch knife, any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, any stiletto, any knife the edged portion of the blade of which is four inches or over in length, any martial arts weapon or electronic defense weapon, as defined in section 53a-3, or any other dangerous or deadly weapon or instrument.</p> <p>(b) The provisions of this section shall not apply to: (1) Any officer charged with the preservation of the public peace while engaged in the pursuit of such officer's official duties; (2) any security guard having a baton or nightstick in a vehicle while engaged in the pursuit of such guard's official duties; (3) any person enrolled in and currently attending a martial arts school, with official verification of such enrollment and attendance, or any certified martial arts instructor, having any such martial arts weapon in a vehicle while traveling to or from such school or to or from an authorized event or competition; (4) any person having a BB. gun in a vehicle provided such weapon is unloaded and stored in the trunk of such vehicle or in a locked container other than the glove compartment or console; and (5) any person having a knife, the edged portion of the blade of which is four inches or over in length, in a vehicle if such person is (A) any member of the armed forces of the United States, as defined in section 27-103, or any reserve component thereof, or of the armed forces of this state, as defined in section 27-2, when on duty or going to or from duty, (B) any member of any military organization when on parade or when going to or from any place of assembly, (C) any person while transporting such knife as merchandise or for display at an authorized gun or knife show, (D) any person while lawfully removing such person's household goods or effects from one place to another, or from one residence to another, (E) any person while actually and peaceably engaged in carrying any such knife from such person's place of abode or business to a place or person where or by whom such knife is to be repaired, or while actually and peaceably returning to such person's place of abode or business with such knife after the same has been repaired, (F) any person holding a valid hunting, fishing or trapping license issued pursuant to chapter 490 or any salt water fisherman while having such knife in a vehicle for lawful hunting, fishing or trapping activities, or (G) any person participating in an authorized historic reenactment.</p>
Delaware	<p><u>§ 222. General definitions</u></p> <p>(4) "Dangerous instrument" means any instrument, article or substance which, under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or serious physical injury, or any disabling chemical spray, as defined in subdivision (6) of this section.</p> <p>(5) "Deadly weapon" includes a firearm, as defined in subdivision (11) of this section, a bomb, a knife of any sort (other than an ordinary pocketknife carried in a closed position), switchblade knife, billy, blackjack, bludgeon, metal knuckles, slingshot, razor, bicycle chain or ice pick or any dangerous instrument, as defined in subdivision (4) of this section, which is used, or attempted to be used, to cause death or serious physical injury. For the purpose of this definition, an ordinary pocketknife shall be a folding knife having a blade not more than 3 inches in length.</p> <p>(11) "Firearm" includes any weapon from which a shot, projectile or other object may be discharged by force of combustion, explosive, gas and/or mechanical</p>

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	<p>means, whether operable or inoperable, loaded or unloaded. It does not include a BB gun.</p>
<p>District of Columbia</p>	<p><u>§ 7-2501.01. Definitions</u> [Formerly § 6-2302] (7) "Destructive device" means: (D) Any device designed or redesigned, made or remade, or readily converted or restored, and intended to stun or disable a person by means of electric shock <u>§ 7-2502.01. Registration requirements</u> [Formerly § 6-2311] (a) Except as otherwise provided in this unit, no person or organization in the District of Columbia ("District") shall receive, possess, control, transfer, offer for sale, sell, give, or deliver any destructive device, and no person or organization in the District shall possess or control any firearm, unless the person or organization holds a valid registration certificate for the firearm. A registration certificate may be issued: (1) To an organization if: (A) The organization employs at least 1 commissioned special police officer or employee licensed to carry a firearm whom the organization arms during the employee's duty hours; and (B) The registration is issued in the name of the organization and in the name of the president or chief executive officer of the organization; (2) In the discretion of the Chief of Police, to a police officer who has retired from the Metropolitan Police Department; or (3) In the discretion of the Chief of Police, to the Fire Marshal and any member of the Fire and Arson Investigation Unit of the Fire Prevention Bureau of the Fire Department of the District of Columbia, who is designated in writing by the Fire Chief, for the purpose of enforcing the arson and fire safety laws of the District of Columbia. (b) Subsection (a) of this section shall not apply to: (1) Any law enforcement officer or agent of the District or the United States, or any law enforcement officer or agent of the government of any state or subdivision thereof, or any member of the armed forces of the United States, the National Guard or organized reserves, when such officer, agent, or member is authorized to possess such a firearm or device while on duty in the performance of official authorized functions; (2) Any person holding a dealer's license; provided, that the firearm or destructive device is: (A) Acquired by such person in the normal conduct of business; (B) Kept at the place described in the dealer's license; and (C) Not kept for such person's private use or protection, or for the protection of his business <u>§ 7-2504.01. Manufacture of firearms, destructive devices or ammunition prohibited; requirement for dealer's license</u> [Formerly § 6-2341] (a) No person or organization shall manufacture any firearm, destructive device or parts thereof, or ammunition, within the District; provided, that persons holding registration certificates may engage in hand loading, reloading, or custom loading ammunition for his registered firearms; provided further, that such person may not hand load, reload, or custom load ammunition for others. (b) No person or organization shall engage in the business of selling, purchasing, or repairing any firearm, destructive device, parts therefor, or ammunition, without first obtaining a dealer's license, and no licensee shall engage in the business of selling, purchasing, or repairing firearms which are unregistrable under § 7-2502.02, destructive devices, or parts therefor, except pursuant to a valid work or purchase order, for those persons specified in § 7-2502.01(b)(1). <u>§ 7-2505.01. Sales and transfers prohibited</u> [Formerly § 6-2351] No person or organization shall sell, transfer or otherwise dispose of any firearm, destructive device or ammunition in the District except as provided in § 7-2502.10(c), § 7-2505.02, or § 7-2507.05.</p>
<p>Florida</p>	<p><u>§ 790.001. Definitions</u> (14) "Electric weapon or device" means any device which, through the application or use of electrical current, is designed, redesigned, used, or intended to be used for offensive or defensive purposes, the destruction of life, or the infliction of injury (15) "Remote stun gun" means any nonlethal device with a tethered range <i>not to exceed 16 feet</i> and which shall utilize an identification and tracking system which, upon use, disperses coded material traceable to the purchaser through records kept by the manufacturer on all remote stun guns and all individual cartridges sold which information shall be made available to any law enforcement agency upon request. <u>§ 790.01. Carrying concealed weapons</u> (1) Except as provided in subsection (4), a person who carries a concealed weapon or electric weapon or device on or about his or her person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. (4) It is not a violation of this section for a person to carry for purposes of lawful self-defense, in a concealed manner: (a) A self-defense chemical spray.</p>

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	<p>(b) A nonlethal stun gun or remote stun gun or other nonlethal electric weapon or device which does not fire a dart or projectile and is designed solely for defensive purposes.</p> <p>(5) This section does not preclude any prosecution for the use of an electric weapon or device or remote stun gun or self-defense chemical spray during the commission of any criminal offense under s. 790.07, s. 790.10, s. 790.23, or s. 790.235, or for any other criminal offense.</p> <p><u>§ 790.06. License to carry concealed weapon or firearm</u></p> <p>(1) The Department of Agriculture and Consumer Services is authorized to issue licenses to carry concealed weapons or concealed firearms to persons qualified as provided in this section. Each such license must bear a color photograph of the licensee. For the purposes of this section, concealed weapons or concealed firearms are defined as a handgun, electronic weapon or device, tear gas gun, knife, or billie, but the term does not include a machine gun as defined in s. 790.001(9). Such licenses shall be valid throughout the state for a period of 5 years from the date of issuance. Any person in compliance with the terms of such license may carry a concealed weapon or concealed firearm notwithstanding the provisions of s. 790.01. The licensee must carry the license, together with valid identification, at all times in which the licensee is in actual possession of a concealed weapon or firearm and must display both the license and proper identification upon demand by a law enforcement officer. Violations of the provisions of this subsection shall constitute a noncriminal violation with a penalty of \$ 25, payable to the clerk of the court.</p> <p><u>§ 790.053. Open carrying of weapons</u></p> <p>(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.</p> <p>(2) A person may openly carry, for purposes of lawful self-defense:</p> <ol style="list-style-type: none"> (a) A self-defense chemical spray. (b) A nonlethal stun gun or remote stun gun or other nonlethal electric weapon or device which <i>does not fire a dart or projectile</i> and is designed solely for defensive purposes. <p>(3) Any person violating this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.</p> <p><u>§ 790.054. Prohibited use of self-defense weapon or device against law enforcement officer; penalties</u></p> <p>A person who knowingly and willfully uses a self-defense chemical spray or a nonlethal stun gun or other nonlethal electric weapon or device or remote stun gun against a law enforcement officer engaged in the performance of his or her duties commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.</p>
Georgia	<p><u>§ 16-11-106. Possession of firearm or knife during commission of or attempt to commit certain crimes</u></p> <p>(a) For the purposes of this Code section, the term "firearm" shall include stun guns and tasers. A stun gun or taser is any device that is powered by electrical charging units such as batteries and emits an electrical charge in excess of 20,000 volts or is otherwise capable of incapacitating a person by an electrical charge.</p> <p><u>§ 16-11-126. Carrying a concealed weapon</u></p> <p>(a) A person commits the offense of carrying a concealed weapon when such person knowingly has or carries about his or her person, unless in an open manner and fully exposed to view, any bludgeon, metal knuckles, firearm, knife designed for the purpose of offense and defense, or any other dangerous or deadly weapon or instrument of like character outside of his or her home or place of business, except as permitted under this Code section.</p> <p>(b) Upon conviction of the offense of carrying a concealed weapon, a person shall be punished as follows:</p> <ol style="list-style-type: none"> (1) For the first offense, he or she shall be guilty of a misdemeanor; and (2) For the second offense, and for any subsequent offense, he or she shall be guilty of a felony and, upon conviction thereof, shall be imprisoned for not less than two years and not more than five years. <p>(c) This Code section shall not permit, outside of his or her home, motor vehicle, or place of business, the concealed carrying of a pistol, revolver, or concealable firearm by any person unless that person has on his or her person a valid license issued under Code Section 16-11-129 and the pistol, revolver, or firearm may only be carried in a shoulder holster, waist belt holster, any other holster, hipgrip, or any other similar device, in which event the weapon may be concealed by the person's clothing, or a handbag, purse, attache case, briefcase, or other closed container. Carrying on the person in a concealed manner other than as provided in this subsection shall not be permitted and shall be a violation of this Code section.</p> <p>(d) This Code section shall not forbid the transportation of any firearm by a person who is not among those enumerated as ineligible for a license under Code Section 16-11-129, provided the firearm is enclosed in a case, unloaded, and separated from its ammunition. This Code section shall not forbid any person who is not among those enumerated as ineligible for a license under Code Section 16-11-129 from transporting a loaded firearm in any private passenger motor vehicle in an open manner and fully exposed to view or in the glove compartment, console, or similar compartment of the vehicle; provided, however, that any person in</p>

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	<p>possession of a valid permit issued pursuant to Code Section 16-11-129 may carry a handgun in any location in a motor vehicle.</p> <p>§ 16-11-127.1. Carrying weapons within school safety zones, at school functions, or on school property</p> <p>(a) As used in this Code section, the term:</p> <p>(2) "Weapon" means and includes any pistol, revolver, or any weapon designed or intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches, straight-edge razor, razor blade, spring stick, metal knucks, blackjack, any bat, club, or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any weapon of like kind, and any stun gun or taser as defined in subsection (a) of Code Section 16-11-106. This paragraph excludes any of these instruments used for classroom work authorized by the teacher.</p> <p>...</p>
Hawaii	<p>§ 134-1. Definitions</p> <p>"Electric gun" means any portable device that is electrically operated to project a missile or electromotive force. It does not include any electric livestock prod used in animal husbandry and any automatic external defibrillator used in emergency medical situations.</p> <p>§ 134-16. Restriction on possession, sale, gift, or delivery of electric guns</p> <p>(a) It shall be unlawful for any person, including a licensed manufacturer, licensed importer, or licensed dealer, to possess, offer for sale, hold for sale, sell, give, lend, or deliver any electric gun.</p> <p>(b) Any electric gun in violation of subsection (a) shall be confiscated and disposed of by the chief of police.</p> <p>(c) This section shall not apply to law enforcement officers of county police and sheriff departments of this State, or vendors providing electric guns to those entities; provided that electric guns shall at all times remain in the custody and control of the county police or sheriff departments.</p> <p>(d) The county police and sheriff departments of this State shall maintain records regarding every electric gun in their custody and control. Such records shall report every instance of usage of the electric guns; in particular, records shall be maintained in a similar manner as for those of discharging of firearms. The county police and sheriff departments shall annually report to the legislature regarding these records twenty days before the beginning of each session.</p> <p>§ 134-17. Penalties</p> <p>(c) Any person who violates section 134-2, 134-4, 134-10, 134-15, or 134-16(a) shall be guilty of a misdemeanor.</p>
Idaho	<p>§ 18-3301. Deadly weapon -- Possession with intent to assault</p> <p>Every person having upon him any deadly weapon with intent to assault another is guilty of a misdemeanor.</p> <p>§ 18-3302D. Possessing weapons or firearms on school property</p> <p>(1) (a) It shall be unlawful and is a misdemeanor for any person to possess a firearm or other deadly or dangerous weapon while on the property of a school or in those portions of any building, stadium or other structure on school grounds which, at the time of the violation, were being used for an activity sponsored by or through a school in this state or while riding school provided transportation.</p> <p>(b) The provisions of this section regarding the possession of a firearm or other deadly or dangerous weapon on school property shall also apply to students of schools while attending or participating in any school sponsored activity, program or event regardless of location.</p> <p>(2) Definitions. As used in this section:</p> <p>(a) "Deadly or dangerous weapon" means any weapon as defined in 18 U.S.C. section 930;</p> <p>[§ 930. Possession of firearms and dangerous weapons in Federal facilities; (2) The term "dangerous weapon" means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 1/2 inches in length.]</p>
Illinois	<p>§ 720 ILCS 5/24-1. Unlawful Use of Weapons</p> <p>(a) A person commits the offense of unlawful use of weapons when he knowingly:</p> <p>(2) Carries or possesses with intent to use the same unlawfully against another, a dagger, dirk, billy, dangerous knife, razor, stiletto, broken bottle or other piece of glass, stun gun or taser or any other dangerous or deadly weapon or instrument of like character; or</p> <p>(4) Carries or possesses in any vehicle or concealed on or about his person except when on his land or in his own abode or fixed place of business 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:</p>

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- (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
- (8) Carries or possesses any firearm, stun gun or **taser** or other deadly weapon in any place which is licensed to sell intoxicating beverages, or at any public gathering held pursuant to a license issued by any governmental body or any public gathering at which an admission is charged, excluding a place where a showing, demonstration or lecture involving the exhibition of unloaded firearms is conducted.
- (9) Carries or possesses in a vehicle or on or about his person any pistol, revolver, stun gun or **taser** or firearm or ballistic knife, when he is hooded, robed or masked in such manner as to conceal his identity; or
- (10) Carries or possesses on or about his person, upon any public street, alley, or other public lands within the corporate limits of a city, village or incorporated town, except when an invitee thereon or therein, for the purpose of the display of such weapon or the lawful commerce in weapons, or except when on his land or in his own abode or fixed place of business, any pistol, revolver, stun gun or **taser** or other firearm, except that this subsection (a)(10) 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.
- A "stun gun or **taser**", as used in this paragraph (a) means (i) any device which is powered by electrical charging units, such as, batteries, and which fires one or several barbs attached to a length of wire and which, upon hitting a human, can send out a current capable of disrupting the person's nervous system in such a manner as to render him incapable of normal functioning or (ii) any device which is powered by electrical charging units, such as batteries, and which, upon contact with a human or clothing worn by a human, can send out current capable of disrupting the person's nervous system in such a manner as to render him incapable of normal functioning...
- (b) Sentence. A person convicted of a violation of subsection 24-1(a)(1) through (5), subsection 24-1(a)(10), or subsection 24-1(a)(11) commits a Class A misdemeanor. A person convicted of a violation of subsection 24-1(a)(8) or 24-1(a)(9) commits a Class 4 felony; a person convicted of a violation of subsection 24-1(a)(6) or 24-1(a)(7)(ii) or (iii) commits a Class 3 felony. A person convicted of a violation of subsection 24-1(a)(7)(i) commits a Class 2 felony, unless the weapon is possessed in the passenger compartment of a motor vehicle as defined in Section 1-146 of the Illinois Vehicle Code, or on the person, while the weapon is loaded, in which case it shall be a Class X felony. A person convicted of a second or subsequent violation of subsection 24-1(a)(4), 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a Class 3 felony.
- (c) Violations in specific places.
- (1.5) A person who violates subsection [24-1(a)(4)] in any school..., in residential property owned, operated, or managed by a public housing agency..., in a public park, in a courthouse, on the real property comprising any school..., , on the real property comprising any public park, on the real property comprising any courthouse, in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity, or on any public way within 1,000 feet of the real property comprising any school, public park, courthouse, or residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development commits a Class 3 felony.
- (2) A person who violates subsection [24-1(a)(2)] in any school..., in residential property owned, operated, or managed by a public housing agency..., in a public park, in a courthouse, on the real property comprising any school..., , on the real property comprising any public park, on the real property comprising any courthouse, in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity, or on any public way within 1,000 feet of the real property comprising any school, public park, courthouse, or residential property owned, operated, or managed by a public housing agency or leased by a public housing agency as part of a scattered site or mixed-income development commits a Class 4 felony.
- (3) Paragraphs (1), (1.5), and (2) of this subsection (c) shall not apply to law enforcement officers or security officers of such school, college, or university or to students carrying or possessing firearms for use in training courses, parades, hunting, target shooting on school ranges, or otherwise with the consent of school authorities and which firearms are transported unloaded enclosed in a suitable case, box, or transportation package.
- § 720 ILCS 5/24-1.6. Aggravated unlawful use of a weapon**
- (a) A person commits the offense of aggravated unlawful use of a weapon when he or she knowingly:
- (1) Carries on or about his or her person or in any vehicle or concealed on or about his or her person except when on his or her land or in his or her abode or fixed place of business any pistol, revolver, stun gun or **taser** or other firearm; or
- (2) Carries or possesses on or about his or her person, upon any public street, alley, or other public lands within the corporate limits of a city, village or incorporated town, except when an invitee thereon or therein, for the purpose of the display of such weapon or the lawful commerce in weapons, or except when on his or her own land or in his or her own abode or fixed place of business, any pistol, revolver, stun gun or **taser** or other firearm; and

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	<p>(3) One of the following factors is present:</p> <p>(A) the firearm possessed was uncased, loaded and immediately accessible at the time of the offense; or</p> <p>(B) the firearm possessed was uncased, unloaded and the ammunition for the weapon was immediately accessible at the time of the offense; or</p> <p>(C) the person possessing the firearm has not been issued a currently valid Firearm Owner's Identification Card; or</p> <p>(D) the person possessing the weapon was previously adjudicated a delinquent minor under the Juvenile Court Act of 1987 for an act that if committed by an adult would be a felony; or</p> <p>(E) the person possessing the weapon was engaged in a misdemeanor violation of the Cannabis Control Act or in a misdemeanor violation of the Illinois Controlled Substances Act; or</p> <p>(F) the person possessing the weapon is a member of a street gang or is engaged in street gang related activity, as defined in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act; or</p> <p>(G) the person possessing the weapon had a order of protection issued against him or her within the previous 2 years; or</p> <p>(H) the person possessing the weapon was engaged in the commission or attempted commission of a misdemeanor involving the use or threat of violence against the person or property of another; or</p> <p>(I) the person possessing the weapon was under 21 years of age and in possession of a handgun as defined in Section 24-3, unless the person under 21 is engaged in lawful activities under the Wildlife Code or described in subsection 24-2(b)(1), (b)(3), or 24-2(f).</p> <p>(b) "Stun gun or taser" as used in this Section has the same definition given to it in Section 24-1 of this Code.</p> <p>(c) This Section does not apply to or affect the transportation or possession of weapons that:</p> <p>(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.</p> <p>(d) Sentence. Aggravated unlawful use of a weapon is a Class 4 felony; a second or subsequent offense is a Class 2 felony. Aggravated unlawful use of a weapon by a person who has been previously convicted of a felony in this State or another jurisdiction is a Class 2 felony.</p> <p><u>720 ILCS 5/24-2. Exemptions</u></p> <p>(a) Subsections [24-1(a)(4)] and Section 24-1.6 do not apply to or affect any of the following:</p> <p>(1) Peace officers, and any person summoned by a peace officer to assist in making arrests or preserving the peace, while actually engaged in assisting such officer.</p> <p>(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense, while in the performance of their official duty, or while commuting between their homes and places of employment.</p> <p>(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps, while in the performance of their official duty.</p> <p>...</p>
Indiana	<p><u>§ 35-41-1-8. Deadly weapon</u></p> <p>"Deadly weapon" means the following:</p> <p>(2) A destructive device, weapon, device, taser (as defined in <u>IC 35-47-8-3</u>) or electronic stun weapon (as defined in <u>IC 35-47-8-1</u>), equipment, chemical substance, or other material that in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury.</p> <p><u>§ 35-47-8-1. "Electronic stun weapon" defined</u></p> <p><u>§ 35-47-8-2. "Stun gun" defined</u></p> <p><u>§ 35-47-8-3. "Taser" defined</u></p> <p>As used in this chapter, "taser" means any mechanism that is:</p> <p>(1) Designed to emit an electronic, magnetic, or other type of charge or shock through the use of a projectile; and</p> <p>(2) Used for the purpose of temporarily incapacitating a person.</p> <p><u>§ 35-47-8-4. Applicability of IC 35-47-2</u></p> <p>IC 35-47-2 applies to an electronic stun weapon or taser. [<i>not stun gun see 35-47-8-5</i>]</p> <p>[§ 35-47-2-1. License required to carry handgun</p> <p>(a) Except as provided in subsection (b) and section 2 [<u>IC 35-47-2-2</u>] of this chapter, a person shall not carry a handgun in any vehicle or on or about the person's body, except in the person's dwelling, on the person's property or fixed place of business, without a license issued under this chapter being in the person's</p>

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	<p>possession.</p> <p>(b) Unless the person's right to possess a firearm has been restored under IC 3-7-13-5 or IC 33-4-5-7, a person who has been convicted of domestic battery under IC 35-42-2-1.3 may not possess or carry a handgun in any vehicle or on or about the person's body in the person's dwelling or on the person's property or fixed place of business.]</p> <p><u>§ 35-47-8-5. Purchase, possession, sale or use of stun gun [not taser]</u></p>
Iowa	<p><u>702.7 Dangerous weapon.</u></p> <p>A "dangerous weapon" is any instrument or device designed primarily for use in inflicting death or injury upon a human being or animal, and which is capable of inflicting death upon a human being when used in the manner for which it was designed. Additionally, any instrument or device of any sort whatsoever which is actually used in such a manner as to indicate that the defendant intends to inflict death or serious injury upon the other, and which, when so used, is capable of inflicting death upon a human being, is a dangerous weapon. Dangerous weapons include, but are not limited to, any offensive weapon, pistol, revolver, or other firearm, dagger, razor, stiletto, switchblade knife, or knife having a blade exceeding five inches in length.</p> <p><u>724.1 Offensive weapons.</u></p>
Kansas	<p><u>21-4201. Criminal use of weapons.</u></p> <p>(a) Criminal use of weapons is knowingly:</p> <p>(1) Selling, manufacturing, purchasing, possessing or carrying any bludgeon, sandclub, metal knuckles or throwing star, or any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward or centrifugal thrust or movement;</p> <p>(2) carrying concealed on one's person, or possessing with intent to use the same unlawfully against another, a dagger, dirk, billy, blackjack, slungshot, dangerous knife, straight-edged razor, stiletto or any other dangerous or deadly weapon or instrument of like character, except that an ordinary pocket knife with no blade more than four inches in length shall not be construed to be a dangerous knife, or a dangerous or deadly weapon or instrument;</p> <p>...</p> <p><u>Chapter 72. Schools. Article 89A. Weapon-Free Schools 72-89a01. Definitions</u></p> <p>(h) "Weapon" means (9) any electronic device designed to discharge immobilizing levels of electricity, commonly known as a stun gun.</p>
Kentucky	<p><u>§ 500.080. Definitions for Kentucky Penal Code</u></p> <p>(3) "Dangerous instrument" means any instrument, including parts of the human body when a serious physical injury is a direct result of the use of that part of the human body, article, or substance which, under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or serious physical injury;</p> <p>(4) "Deadly weapon" means any of the following:</p> <p>(a) A weapon of mass destruction;</p> <p>(b) Any weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged;</p> <p>(c) Any knife other than an ordinary pocket knife or hunting knife;</p> <p>(d) Billy, nightstick, or club;</p> <p>(e) Blackjack or slapjack;</p> <p>(f) Nunchaku karate sticks;</p> <p>(g) Shuriken or death star; or</p> <p>(h) Artificial knuckles made from metal, plastic, or other similar hard material</p>
Louisiana	<p><u>Title 14 § 2 Definitions</u></p> <p>(3) "Dangerous weapon" includes any gas, liquid or other substance or instrumentality, which, in the manner used, is calculated or likely to produce death or great bodily harm.</p>
Maine	<p><u>17-A M.R.S. § 2 Definitions</u></p> <p>9. Dangerous Weapon.</p> <p>A. "Use of a dangerous weapon" means the use of a firearm or other weapon, device, instrument, material or substance, whether animate or inanimate, which, in the manner it is used or threatened to be used is capable of producing death or serious bodily injury.</p> <p>B. "Armed with a dangerous weapon" means in actual possession, regardless of whether the possession is visible or concealed, of:</p> <p>1) A firearm;</p>

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	<p>2) Any device designed as a weapon and capable of producing death or serious bodily injury; or</p> <p>3) Any other device, instrument, material or substance, whether animate or inanimate, which, in the manner it is intended to be used by the actor, is capable of producing or threatening death serious bodily injury. For purposes of this definition, the intent may be conditional.</p> <p>C. When used in any other context, "dangerous weapon" means a firearm any device designed as a weapon and capable of producing death or serious bodily injury.</p>
Maryland	<p><u>§ 4-101. Dangerous weapons</u></p> <p>(a) Definitions. --</p> <p>(1) In this section the following words have the meanings indicated.</p> <p>(2) "Nunchaku" means a device constructed of two pieces of any substance, including wood, metal, or plastic, connected by any chain, rope, leather, or other flexible material not exceeding 24 inches in length.</p> <p>(3) (i) "Pepper mace" means an aerosol propelled combination of highly disabling irritant pepper-based products.</p> <p>(ii) "Pepper mace" is also known as oleoresin capsicum (o.c.) spray.</p> <p>(4) "Star knife" means a device used as a throwing weapon, consisting of several sharp or pointed blades arrayed as radially disposed arms about a central disk.</p> <p>(5) (i) "Weapon" includes a dirk knife, bowie knife, switchblade knife, star knife, sandclub, metal knuckles, razor, and nunchaku.</p> <p>(ii) "Weapon" does not include:</p> <ol style="list-style-type: none"> 1. a handgun; or 2. a penknife without a switchblade.
Massachusetts	<p><u>Ch. 140, § 131J. Sale or Possession of Electrical Weapons; Penalty.</u></p> <p>No person shall sell, offer for sale or possess a portable device or weapon from which an electrical current, impulse, wave or beam may be directed, which current, impulse, wave or beam is designed to incapacitate temporarily, injure or kill. Whoever violates the provisions of this section shall be punished by a fine of not less than five hundred nor more than one thousand dollars or by imprisonment for not less than six months nor more than two years in a jail or house of correction, or both.</p>
Michigan	<p><u>§ 750.224a. Portable device or weapon directing electrical current, impulse, wave, or beam; sale or possession prohibited; exceptions; violation; penalty; definition.</u></p> <p>(1) Except as otherwise provided in this section, a person shall not sell, offer for sale, or possess in this state a portable device or weapon from which an electrical current, impulse, wave, or beam may be directed, which current, impulse, wave, or beam is designed to incapacitate temporarily, injure, or kill.</p> <p>(2) This section does not prohibit any of the following:</p> <p>(a) The possession and reasonable use of a device that uses electro-muscular disruption technology by a peace officer, an employee of the department of corrections authorized in writing by the director of the department of corrections, probation officer, court officer, bail agent authorized under section 167b, licensed private investigator, aircraft pilot, or aircraft crew member, who has been trained in the use, effects, and risks of the device, while performing his or her official duties.</p> <p>(b) Possession solely for the purpose of delivering a device described in subsection (1) to any governmental agency or to a laboratory for testing, with the prior written approval of the governmental agency or law enforcement agency and under conditions determined to be appropriate by that agency.</p> <p>(3) A manufacturer, authorized importer, or authorized dealer may demonstrate, offer for sale, hold for sale, sell, give, lend, or deliver a device that uses electro-muscular disruption technology to a person authorized to possess a device that uses electro-muscular disruption technology and may possess a device that uses electro-muscular disruption technology for any of those purposes.</p> <p>(4) A person who violates this section is guilty of a felony punishable by imprisonment for not more than 4 years or a fine of not more than \$2,000.00, or both.</p> <p>(5) As used in this section, "a device that uses electro-muscular disruption technology" means a device to which all of the following apply:</p> <p>(a) The device is capable of creating an electro-muscular disruption and is used or intended to be used as a defensive device capable of temporarily incapacitating or immobilizing a person by the direction or emission of conducted energy.</p> <p>(b) The device contains an identification and tracking system that, when the device is initially used, dispenses coded material traceable to the purchaser through records kept by the manufacturer.</p> <p>(c) The manufacturer of the device has a policy of providing the identification and tracking information described in subdivision (b) to a police agency upon written request by that agency.</p>

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Minnesota

624.731 Tear gas and tear gas compounds ; electronic incapacitation devices.

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

(b) "**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.

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.

Subd. 3. Prohibited possession; use.

(b) No person prohibited from possessing a pistol pursuant to section 624.713, subdivision 1, clause (b), may possess or use ... an **electronic incapacitation device**.

(c) No person prohibited from possessing a pistol pursuant to section 624.713, subdivision 1, clauses (c) to (e), may possess or use ... an **electronic incapacitation device**, except that the certificate or other proof required for possession of a handgun shall not apply.

Subd. 4. Prohibited use.

(a) No person shall knowingly, or with reason to know, use ... an **electronic incapacitation device** on or against a peace officer who is in the performance of duties.

(b) No person shall use ... an **electronic incapacitation device** except as authorized in subdivision 2 or 6.

(c) ... an **electronic incapacitation device** shall legally constitute a weapon when it is used in the commission of a crime. .

Subd. 5. Prohibited sale.

... No person shall knowingly furnish or sell an ... an **electronic incapacitation device** to a person prohibited from possessing it by subdivision 3. No person shall knowingly furnish or sell ... an **electronic incapacitation device** which fails to meet the requirements of subdivision 2. No ... **electronic incapacitation device** shall be sold or furnished on premises where 3.2 percent malt liquor as defined in section 340A.101, subdivision 19, is sold on an on-sale basis or where intoxicating liquor as defined in section 340A.101, subdivision 13, is sold on an on-sale or off-sale basis. No person shall sell ... **electronic incapacitation device** in violation of local licensing requirements.

Subd. 6. Exceptions. Nothing in this section shall prohibit the possession or use of by, or the sale or furnishing of ... **electronic incapacitation device** to, a law enforcement agency, peace officer, the National Guard or reserves, or a member of the National Guard or reserves for use in their official duties, except that counties and municipalities may impose licensing requirements on sellers pursuant to subdivision 9.

Subd. 8. Penalties.

(a) The following violations of this section shall be considered a felony:

(1) The possession or use of ... an **electronic incapacitation device** by a person specified in subdivision 3, paragraph (b).

(2) Knowingly selling or furnishing of ... an **electronic incapacitation device** to a person specified in subdivision 3, paragraph (b).

(3) The use of an **electronic incapacitation device** as prohibited in subdivision 4, paragraph (a).

(b) The following violations of this section shall be considered a gross misdemeanor:

(2) the use of an **electronic incapacitation device** except as allowed by subdivision 2 or 6.

(c) The following violations of this section shall be considered a misdemeanor:

(1) The possession or use of ... an **electronic incapacitation device** which fails to meet the requirements of subdivision 2 by any person except as allowed by subdivision 6.

(2) The possession or use of ... an **electronic incapacitation device** by a person specified in subdivision 3, paragraph (a) or (c).

(4) Knowingly selling or furnishing an ... an **electronic incapacitation device** to a person specified in subdivision 3, paragraph (a) or (c).

(5) Selling or furnishing of tear gas or a tear gas compound other than an authorized tear gas compound to any person except as allowed by subdivision 6.

(6) Selling or furnishing of ... an **electronic incapacitation device** on premises where intoxicating liquor is sold on an on-sale or off-sale basis or where 3.2 percent malt liquor is sold on an on-sale basis.

(7) Selling an ... **electronic incapacitation device** in violation of local licensing requirements.

Subd. 9. Local licensing.

(a) For purposes of this section, "municipality" means statutory or home rule charter city or town.

(b) There is hereby conferred upon the governing body of each county, statutory or home rule charter city and town in the state the authority to license the

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	<p>business of vendors of ... electronic incapacitation devices within their respective jurisdictions, to impose a license fee therefor, to impose qualifications for obtaining a license, the duration of licenses and to restrict the number of licenses the governing body will issue.</p> <p>(c) Every person desiring a license from a local governing body shall file with the clerk of the municipality or the county board in the case of application to a county, a verified written application in the form to be prescribed by the local governing body.</p> <p>(d) The local governing body may establish the grounds, notice and hearing procedures for revocation of licenses issued pursuant to this section. The local governing body may also establish penalties for sale of ... electronic incapacitation devices in violation of its licensing requirements.</p> <p>Subd. 10. Local regulation. This section shall be the exclusive regulation of the possession, use, and furnishing of ... electronic incapacitation devices in Minnesota. This section shall supersede and preempt all regulation of the possession, use, and furnishing of ... electronic incapacitation devices by political subdivisions.</p>
Mississippi	<p><u>§ 97-37-1. Deadly weapons; carrying while concealed; use or attempt to use; penalties</u></p> <p>(1) Except as otherwise provided in Section 45-9-101 [Prisons and Prisoners; Probation and Parole], any person who carries, concealed in whole or in part, any bowie knife, dirk knife, butcher knife, switchblade knife, metallic knuckles, blackjack, slingshot, pistol, revolver, or any rifle with a barrel of less than sixteen (16) inches in length, or any shotgun with a barrel of less than eighteen (18) inches in length, machine gun or any fully automatic firearm or deadly weapon, or any muffler or silencer for any firearm, whether or not it is accompanied by a firearm, or uses or attempts to use against another person any imitation firearm, shall upon conviction be punished as follows:</p> <p>...</p>
Missouri	<p><u>§ 556.061. Code definitions</u></p> <p>(9) "Dangerous instrument" means any instrument, article or substance, which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury;</p> <p>(10) "Deadly weapon" means any firearm, loaded or unloaded, or any weapon from which a shot, readily capable of producing death or serious physical injury, may be discharged, or a switchblade knife, dagger, billy, blackjack or metal knuckles</p>
Montana	<p><u>45-2-101 General definitions.</u></p> <p>(78) "Weapon" means an instrument, article, or substance that, regardless of its primary function, is readily capable of being used to produce death or serious bodily injury.</p>
Nebraska	<p><u>§ 28-109. Terms, defined</u></p> <p>(7) Deadly weapon shall mean any firearm, knife, bludgeon, or other device, instrument, material, or substance, whether animate or inanimate, which in the manner it is used or intended to be used is capable of producing death or serious bodily injury</p>
Nevada	<p><u>Dangerous Weapons and Firearms § 202.253. Definitions</u></p> <p>2. "Firearm" means any device designed to be used as a weapon from which a projectile may be expelled through the barrel by the force of any explosion or other form of combustion.</p>
New Hampshire	<p><u>§ 159:20. Self-Defense Weapons Defined</u></p> <p>I. "Electronic defense weapon" means an electronically activated non-lethal device which is designed for or capable of producing an electrical charge of sufficient magnitude to immobilize or incapacitate a person temporarily.</p> <p><u>§ 159:21. Possession by Felons Prohibited</u></p> <p>Any person who has been convicted of a felony in this or any other state who possesses an electronic defense weapon away from the premises where he resides shall be guilty of a class B felony. Neither the whole nor any part of a sentence of imprisonment imposed for a violation of this section shall be served concurrently with any other term of imprisonment.</p> <p><u>§ 159:22. Restricted Sale</u></p> <p>Any person who knowingly sells an electronic defense weapon to a person under 18 years of age shall be guilty of a violation.</p> <p><u>§ 159:23. Criminal Use of Electronic Defense or Aerosol Self-Defense Spray Weapons</u></p> <p>I. Any person who uses an electronic defense or aerosol self-defense spray weapon on a law enforcement officer or another person with intent to commit a crime</p>

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	<p>punishable as a misdemeanor shall be guilty of a misdemeanor.</p> <p>II. Any person who uses an electronic defense or aerosol self-defense spray weapon on a law enforcement officer or another person with intent to commit a crime punishable as a felony shall be guilty of a class B felony.</p> <p>III. Neither the whole nor any part of a sentence of imprisonment imposed for a violation of this section shall be served concurrently with any other term of imprisonment.</p>
New Jersey	<p><u>§ 2C:39-1. Definitions</u></p> <p>r. "Weapon" means anything readily capable of lethal use or of inflicting serious bodily injury. The term includes, but is not limited to, all (1) firearms, even though not loaded or lacking a clip or other component to render them immediately operable; (2) components which can be readily assembled into a weapon; (3) gravity knives, switchblade knives, daggers, dirks, stilettos, or other dangerous knives, billies, blackjacks, bludgeons, metal knuckles, sandclubs, slingshots, cesti or similar leather bands studded with metal filings or razor blades imbedded in wood; and (4) stun guns; and any weapon or other device which projects, releases, or emits tear gas or any other substance intended to produce temporary physical discomfort or permanent injury through being vaporized or otherwise dispensed in the air.</p> <p>t. "Stun gun" means any weapon or other device which emits an electrical charge or current intended to temporarily or permanently disable a person.</p> <p><u>§ 2C:39-3. Prohibited weapons and devices</u></p> <p>h. Stun guns. Any person who knowingly has in his possession any stun gun is guilty of a crime of the fourth degree.</p>
New Mexico	<p><u>§ 30-1-12. Definitions</u></p> <p>B. "deadly weapon" means any firearm, whether loaded or unloaded; or any weapon which is capable of producing death or great bodily harm, including but not restricted to any types of daggers, brass knuckles, switchblade knives, bowie knives, poniards, butcher knives, dirk knives and all such weapons with which dangerous cuts can be given, or with which dangerous thrusts can be inflicted, including swordcanes, and any kind of sharp pointed canes, also slingshots, slung shots, bludgeons; or any other weapons with which dangerous wounds can be inflicted</p>
New York	<p><u>§ 265.00. Definitions</u></p> <p>15-a. "Electronic dart gun" means any device designed primarily as a weapon, the purpose of which is to momentarily stun, knock out or paralyze a person by passing an electrical shock to such person by means of a dart or projectile.</p> <p>15-c. "Electronic stun gun" means any device designed primarily as a weapon, the purpose of which is to stun, cause mental disorientation, knock out or paralyze a person by passing a high voltage electrical shock to such person.</p> <p><u>§ 265.01. Criminal possession of a weapon in the fourth degree</u></p> <p>A person is guilty of criminal possession of a weapon in the fourth degree when:</p> <p>(1) He possesses any firearm, electronic dart gun, electronic stun gun, gravity knife, switchblade knife, pilum ballistic knife, metal knuckle knife, cane sword, billy, blackjack, bludgeon, metal knuckles, chuka stick, sand bag, sandclub, wrist-brace type slingshot or slungshot, shirken or "Kung Fu star";</p> <p>Criminal possession of a weapon in the fourth degree is a class A misdemeanor</p> <p><u>§ 265.02. Criminal possession of a weapon in the third degree</u></p> <p>A person is guilty of criminal possession of a weapon in the third degree when:</p> <p>(1) He commits the crime of criminal possession of a weapon in the fourth degree as defined in subdivision one, two, three or five of section 265.01, and has been previously convicted of any crime</p> <p>Criminal possession of a weapon in the third degree is a class D felony.</p> <p><u>265.20. Exemptions</u></p> <p>a. Sections 265.01, 265.02, 265.03, 265.04, 265.05, 265.10, 265.11, 265.12, 265.13, 265.15 and 270.05 shall not apply to:</p> <p>1. Possession of any of the weapons, instruments, appliances or substances specified in sections 265.01, 265.02, 265.03, 265.04, 265.05 and 270.05 by the following:</p> <p>(a) Persons in the military service of the state of New York when duly authorized by regulations issued by the adjutant general to possess the same.</p> <p>(b) Police officers as defined in subdivision thirty-four of section 1.20 of the criminal procedure law.</p> <p>(c) Peace officers as defined by section 2.10 of the criminal procedure law.</p>

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	<p>(d) Persons in the military or other service of the United States, in pursuit of official duty or when duly authorized by federal law, regulation or order to possess the same.</p> <p>(e) Persons employed in fulfilling defense contracts with the government of the United States or agencies thereof when possession of the same is necessary for manufacture, transport, installation and testing under the requirements of such contract.</p> <p>...</p>
<p>North Carolina</p>	<p><u>§ 14-269. Carrying concealed weapons</u></p> <p>(a) It shall be unlawful for any person willfully and intentionally to carry concealed about his person any bowie knife, dirk, dagger, slung shot, loaded cane, metallic knuckles, razor, shurikin, stun gun, or other deadly weapon of like kind, except when the person is on the person's own premises.</p> <p>(b) This prohibition shall not apply to the following persons:</p> <p>(1) Officers and enlisted personnel of the armed forces of the United States when in discharge of their official duties as such and acting under orders requiring them to carry arms and weapons;</p> <p>(2) Civil and law enforcement officers of the United States while in the discharge of their official duties;</p> <p>(3) Officers and soldiers of the militia and the national guard when called into actual service;</p> <p>(4) Officers of the State, or of any county, city, or town, charged with the execution of the laws of the State, when acting in the discharge of their official duties;</p> <p>(5) Sworn law-enforcement officers, when off-duty, if:</p> <p>a. Written regulations authorizing the carrying of concealed weapons have been filed with the clerk of superior court in the county where the law-enforcement unit is located by the sheriff or chief of police or other superior officer in charge; and</p> <p>b. Such regulations specifically prohibit the carrying of concealed weapons while the officer is consuming or under the influence of alcoholic beverages.</p> <p>(c) Any person violating the provisions of subsection (a) of this section shall be guilty of a Class 2 misdemeanor. Any person violating the provisions of subsection (a1) of this section shall be guilty of a Class 2 misdemeanor for the first offense. A second or subsequent offense is punishable as a Class I felony.</p> <p><u>§ 14-269.2. Weapons on campus or other educational property</u></p> <p>(b) It shall be a Class I felony for any person to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind on educational property or to a curricular or extracurricular activity sponsored by a school. However, this subsection does not apply to a BB gun, stun gun, air rifle, or air pistol.</p> <p><u>§ 14-415.1. Possession of firearms, etc., by felon prohibited</u></p> <p>Notes: Subsection (a) encompasses a narrow range of guns, while G.S. 14-269.2(b) prohibits any gun, excluding only a BB gun, stun gun, air rifle, or air pistol.</p>
<p>North Dakota</p>	<p><u>§ 62.1-01-01. General definitions</u></p> <p>1. "Dangerous weapon" includes any switchblade or gravity knife, machete, scimitar, stiletto, sword, dagger, or knife with a blade of five inches [12.7 centimeters] or more; any throwing star, nunchaku, or other martial arts weapon; any billy, blackjack, sap, bludgeon, cudgel, metal knuckles, or sand club; any slungshot; any bow and arrow, crossbow, or spear; any stun gun; any weapon that will expel, or is readily capable of expelling, a projectile by the action of a spring, compressed air, or compressed gas including any such weapon, loaded or unloaded, commonly referred to as a BB gun, air rifle, or CO2 gun; and any projector of a bomb or any object containing or capable of producing and emitting any noxious liquid, gas, or substance</p> <p><u>§ 62.1-02-02. Sale of handgun regulated -- Penalty</u></p> <p>No person may transfer a handgun to any person who the transferor knows or has reasonable cause to believe is a person prohibited by section 62.1-02-01 from possessing a firearm. Any person who violates this section is guilty of a class A misdemeanor.</p> <p><u>§ 62.1-02-04. Possession of firearm or dangerous weapon in liquor establishment or gaming site prohibited -- Penalty -- Exceptions</u></p> <p>Any person who enters or remains in that part of the establishment that is set aside for the retail sale in an establishment engaged in the retail sale of alcoholic beverages or used as a gaming site while in the possession of a firearm or dangerous weapon is guilty of a class A misdemeanor. This section does not apply to:</p> <ol style="list-style-type: none"> 1. A law enforcement officer. 2. The proprietor. 3. The proprietor's employee. 4. A designee of the proprietor when the designee is displaying an unloaded firearm or dangerous weapon as a prize or sale item in a raffle or auction. <p><u>§ 62.1-04-02. Carrying concealed firearms or dangerous weapons prohibited</u></p> <p>No person, other than a law enforcement officer, may carry any firearm or dangerous weapon concealed unless the person is licensed to do so or exempted</p>

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	<p>pursuant to this chapter. For purposes of this chapter, dangerous weapon does not mean a spray or aerosol containing CS (ortho-chlorobenzamalonitrile), CN (alpha-chloroacetophenone), or other irritating agent intended for use in the defense of a person.</p> <p><u>§ 62.1-04-03. License to carry a firearm or dangerous weapon concealed</u></p> <p>1. The chief of the bureau of criminal investigation shall issue a license to carry a firearm or dangerous weapon concealed upon review of an application submitted to the chief if the following criteria are met:</p> <p>a. The applicant has a valid reason for carrying the firearm or dangerous weapon concealed, including self-protection, protection of others, or work-related needs.</p> <p>...</p>
Ohio	<p><u>§ 2923.11. Definitions</u></p> <p>(A) "Deadly weapon" means any instrument, device, or thing capable of inflicting death, and designed or specially adapted for use as a weapon, or possessed, carried, or used as a weapon.</p>
Oklahoma	<p><u>§ 1287. Use of firearm while committing a felony</u></p> <p>Any person who, while committing or attempting to commit a felony, possesses a pistol, shotgun or rifle or any other offensive weapon in such commission or attempt, whether the pistol, shotgun or rifle is loaded or not, or who possesses a blank or imitation pistol, shotgun or rifle capable of raising in the mind of one threatened with such device a fear that it is a real pistol, shotgun or rifle, or who possesses an air gun or carbon dioxide or other gas-filled weapon, electronic dart gun, knife, dagger, dirk, switchblade knife, blackjack, ax, loaded cane, billy, hand chain or metal knuckles, in addition to the penalty provided by statute for the felony committed or attempted, upon conviction shall be guilty of a felony for possessing such weapon or device, which shall be a separate offense from the felony committed or attempted and shall be punishable by imprisonment in the State Penitentiary for a period of not less than two (2) years nor for more than ten (10) years for the first offense, and for a period of not less than ten (10) years nor more than thirty (30) years for any second or subsequent offense.</p> <p>Any person convicted of violating the provisions of this section after having been issued a concealed handgun license pursuant to the provisions of the Oklahoma Self-Defense Act shall have the license permanently revoked and shall be liable for an administrative fine of One Thousand Dollars (\$ 1,000.00) upon a hearing and determination by the Oklahoma State Bureau of Investigation that the person is in violation of the provisions of this section.</p> <p><u>§ 1272. Unlawful carry [electric dart gun not listed]</u></p> <p>A. It shall be unlawful for any person to carry upon or about his or her person, or in a purse or other container belonging to the person, any pistol, revolver, shotgun or rifle whether loaded or unloaded or any dagger, bowie knife, dirk knife, switchblade knife, spring-type knife, sword cane, knife having a blade which opens automatically by hand pressure applied to a button, spring, or other device in the handle of the knife, blackjack, loaded cane, billy, hand chain, metal knuckles, or any other offensive weapon, whether such weapon be concealed or unconcealed, except this section shall not prohibit:</p> <p>...</p>
Oregon	<p><u>161.015. General definitions</u></p> <p>(1) "Dangerous weapon" means any weapon, device, instrument, material or substance which under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or serious physical injury.</p> <p>(6) "Physical force" includes, but is not limited to, the use of an electrical stun gun, tear gas or mace.</p> <p><u>163.212. Unlawful use of an electrical stun gun, tear gas or mace in the second degree.</u></p> <p>(1) A person commits the crime of unlawful use of an electrical stun gun, tear gas or mace in the second degree if the person recklessly discharges an electrical stun gun, tear gas weapon, mace, tear gas, pepper mace or any similar deleterious agent against another person.</p> <p>(2) Unlawful use of an electrical stun gun, tear gas or mace in the second degree is a Class A misdemeanor.</p> <p><u>163.213. Unlawful use of an electrical stun gun, tear gas or mace in the first degree.</u></p> <p>(1) A person commits the crime of unlawful use of an electrical stun gun, tear gas or mace in the first degree if the person knowingly discharges or causes to be discharged any electrical stun gun, tear gas weapon, mace, tear gas, pepper mace or any similar deleterious agent against another person, knowing the other person to be a peace officer, corrections officer, parole and probation officer, firefighter or emergency medical technician or paramedic and while the other person is acting in the course of official duty.</p> <p>(2) Unlawful use of an electrical stun gun, tear gas or mace in the first degree is a Class C felony.</p>

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<p>Pennsylvania</p>	<p><u>§ 908. Prohibited offensive weapons</u> (a) OFFENSE DEFINED.-- A person commits a misdemeanor of the first degree if, except as authorized by law, he makes repairs, sells, or otherwise deals in, uses, or possesses any offensive weapon. (b) EXCEPTIONS.-- (1) It is a defense under this section for the defendant to prove by a preponderance of evidence that he possessed or dealt with the weapon solely as a curio or in a dramatic performance... (2) This section does not apply to police forensic firearms experts or police forensic firearms laboratories... (3) This section shall not apply to any person who makes, repairs, sells or otherwise deals in, uses or possesses any firearm for purposes not prohibited by the laws of this Commonwealth. (c) DEFINITIONS.-- As used in this section, the following words and phrases shall have the meanings given to them in this subsection: "Firearm." Any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive or the frame or receiver of any such weapon. "Offensive weapons." Any bomb, grenade, machine gun, sawed-off shotgun with a barrel less than 18 inches, firearm specially made or specially adapted for concealment or silent discharge, any blackjack, sandbag, metal knuckles, dagger, knife, razor or cutting instrument, the blade of which is exposed in an automatic way by switch, push-button, spring mechanism, or otherwise, any stun gun, stun baton, taser or other electronic or electric weapon or other implement for the infliction of serious bodily injury which serves no common lawful purpose. <u>§ 908.1. Use or possession of electric or electronic incapacitation device</u> (a) OFFENSE DEFINED.-- Except as set forth in subsection (b), a person commits an offense if the person does any of the following: (1) Uses an electric or electronic incapacitation device on another person for an unlawful purpose. (2) Possesses, with intent to violate paragraph (1), an 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. (c) PROHIBITED POSSESSION.-- No person prohibited from possessing a firearm pursuant to section 6105 (relating to persons not to possess, use, manufacture, control, sell or transfer firearms) may possess or use an electric or electronic incapacitation device. (d) GRADING.-- An offense under subsection (a) shall constitute a felony of the second degree if the actor acted with the intent to commit a felony. Otherwise any offense under this section is graded as a misdemeanor of the first degree. (e) EXCEPTIONS.-- Nothing in this section shall prohibit the possession or use by, or the sale or furnishing of any electric or electronic incapacitation device to, a law enforcement agency, peace officer, employee of a correctional institution, county jail or prison or detention center, the National Guard or reserves or a member of the National Guard or reserves for use in their official duties. (f) DEFINITION.-- As used in this section, the term "electronic or electric 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. The term does not include cattle prods, electric fences or other electric devices when used in agricultural, animal husbandry or food production activities.</p>
<p>Rhode Island</p>	<p><u>§ 11-47-42. Weapons other than firearms prohibited</u> (a) (1) No person shall carry or possess or attempt to use against another any instrument or weapon of the kind commonly known as a blackjack, slingshot, billy, sandclub, sandbag, metal knuckles, slap glove, bludgeon, stun-gun, or the so called "Kung-Fu" weapons, nor shall any person, with intent to use unlawfully against another, carry or possess a dagger, dirk, stiletto, sword-in-cane, bowie knife, or other similar weapon designed to cut and stab another, nor shall any person wear or carry concealed upon his person, any of the above-mentioned instruments or weapons, or any razor, or knife of any description having a blade of more than three (3) inches in length measuring from the end of the handle where the blade is attached to the end of the blade, or other weapon of like kind or description. Any person violating the provisions of this subsection shall be punished by a fine of not more than one thousand dollars (\$ 1,000) or by imprisonment for not more than one year, or both, and the weapon so found shall be confiscated. (2) Any person violating the provisions of this subsection while he or she is incarcerated within the confines of the adult correctional institutions shall be punished by a fine of not less than one thousand dollars (\$ 1,000) nor more than three thousand dollars (\$ 3,000), or by imprisonment for not less than one year nor more</p>

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	<p>than five (5) years, or both, and the weapon so found shall be confiscated.</p> <p>(b) No person shall sell to a person under eighteen (18) years of age, without the written authorization of the minor's parent or legal guardian, any stink bomb, blackjack, slingshot, bill, sandclub, sandbag, metal knuckles, slap glove, bludgeon, stun-gun, paint ball gun, so called "kung-fu" weapons, dagger, dirk, stiletto, sword-in-cane, bowie knife, razor... Any person violating the provisions of this subsection shall be punished by a fine of not less than one thousand dollars (\$ 1,000) nor more than three thousand dollars (\$ 3,000), or by imprisonment for not less than one year nor more than five (5) years, or both, and the weapons so found shall be confiscated.</p>
<p>South Carolina</p>	<p><u>§ 16-23-10. Definitions.</u></p> <p>(a) "Pistol" means any firearm designed to expel a projectile and designed to be fired from the hand, but shall not include any firearm generally recognized or classified as an antique, curiosity, or collector's item, or any that does not fire fixed cartridges.</p> <p>(c) The term "crime of violence" means murder, manslaughter (except negligent manslaughter arising out of traffic accidents), rape, mayhem, kidnapping, burglary, robbery, housebreaking, assault with intent to kill, commit rape, or rob, assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than one year.</p> <p><u>§ 16-23-460. Carrying concealed weapons; forfeiture of weapons.</u></p> <p>Any person carrying a deadly weapon usually used for the infliction of personal injury concealed about his person is guilty of a misdemeanor, must forfeit to the county, or, if convicted in a municipal court, to the municipality the concealed weapon, and must be fined not less than two hundred dollars nor more than five hundred dollars or imprisoned not less than thirty days nor more than ninety days. Nothing herein contained may be construed to apply to (1) persons carrying concealed weapons upon their own premises or pursuant to and in compliance with Article 4 of Chapter 31 of Title 23, or (2) peace officers in the actual discharge of their duties. The provisions of this section do not apply to rifles, shotguns, dirks, slingshots, metal knuckles, or razors unless they are used with the intent to commit a crime or in furtherance of a crime.</p>
<p>South Dakota</p>	<p><u>§ 22-1-2. Definition of terms</u></p> <p>(50) "Stun gun," any battery-powered, pulsed electrical device of high voltage and low or no amperage that can disrupt the central nervous system and cause temporary loss of voluntary muscle control of a person</p> <p><u>§ 22-14-13.1. Commission of felony while armed with stun gun -- Consecutive sentencing</u></p> <p>Any person who commits or attempts to commit any felony when armed with a stun gun is guilty of a Class 5 felony for the first conviction. A second or subsequent conviction is a Class 3 felony. Any sentence imposed under this section shall be consecutive to any other sentences imposed for a violation of the principal felony.</p>
<p>Tennessee</p>	<p><u>§39-11-106. Title definitions</u></p> <p>(5) "Deadly weapon" means:</p> <p>(A) A firearm or anything manifestly designed, made or adapted for the purpose of inflicting death or serious bodily injury; or</p> <p>(B) Anything that in the manner of its use or intended use is capable of causing death or serious bodily injury</p> <p><u>§ 62-35-118. Registration cards -- Training and examination of applicants</u></p> <p>(5) For applicants for private security officer/guard registration who will carry a club, stun gun, chemical spray, night stick, or other less than lethal device, the commissioner shall require appropriate training specific to such device by a certified trainer who is certified to instruct for such specific device. It shall be the employers' responsibility to keep training records of their employees for each specific device. The security officer/guard shall also have in such person's possession a certification card issued by an instructor/trainer who is certified to instruct/train in the legal use of such specific device and shall exhibit such card upon demand by the commissioner or the commissioner's duly authorized agent or any full-time law enforcement officer.</p> <p><u>§ 62-35-125. Carrying of weapons by guards or officers</u></p> <p>An armed security officer/guard may carry only such types of firearms as the commissioner shall, by rules and regulations, prescribe in the performance of such person's duties. A security officer/guard may carry a firearm only if certified to carry such firearm. With proper certification, an unarmed or armed security officer/guard may carry any other type weapon to include, but not be limited to, clubs/batons, stun guns, the chemical spray known as "mace," or any other tool or weapon that the commissioner may prescribe.</p>

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Texas	<p><u>§ 46.01. Definitions</u> [includes definitions of 9 weapons listed in §46.05]</p> <p><u>§ 46.02. Unlawful Carrying Weapons</u> (a) A person commits an offense if he intentionally, knowingly, or recklessly carries on or about his person a handgun, illegal knife, or club.</p> <p><u>§ 46.05. Prohibited Weapons</u> (a) A person commits an offense if he intentionally or knowingly possesses, manufactures, transports, repairs, or sells: (1) an explosive weapon;(2) a machine gun; (3) a short-barrel firearm; (4) a firearm silencer; (5) a switchblade knife; (6) knuckles; (7) armor-piercing ammunition; (8) a chemical dispensing device; or (9) a zip gun.</p>
Utah	<p><u>§ 76-10-501. Definitions</u> (5) (a) "Dangerous weapon" means any item that in the manner of its use or intended use is capable of causing death or serious bodily injury. The following factors shall be used in determining whether a knife, or any other item, object, or thing not commonly known as a dangerous weapon is a dangerous weapon: (i) the character of the instrument, object, or thing; (ii) the character of the wound produced, if any; (iii) the manner in which the instrument, object, or thing was used; and (iv) the other lawful purposes for which the instrument, object, or thing may be used.</p> <p><u>§ 76-10-2501. Unlawful use of a laser pointer -- Definitions -- Penalties</u> (1) As used in this section: (a) "Laser light" means light that is amplified by stimulated emission of radiation. (b) "Laser pointer" means any portable device that emits a visible beam of laser light that may be directed at a person. (c) "Law enforcement officer" means an officer under Section 53-13-103. (2) A person is guilty of unlawful use of a laser pointer if the person directs a beam of laser light from a laser pointer at: (a) a moving motor vehicle or its occupants; or (b) one whom the person knows or has reason to know is a law enforcement officer. (3) It is an affirmative defense to a charge under Subsection (2)(b) that: (a) the law enforcement officer was: (i) not in uniform; (ii) not traveling in a vehicle identified as a law enforcement vehicle; and (iii) not otherwise engaged in an activity that would give the person reason to know him to be a law enforcement officer; and (b) the law enforcement officer was not otherwise known by the person to be a law enforcement officer. (4) Violation of Subsection (2)(a) is an infraction. Violation of Subsection (2)(b) is a class C misdemeanor. (5) If the violation of this section constitutes an offense subject to a greater penalty under another provision of Title 76, Utah Criminal Code, than is provided under this section, this section does not prohibit the prosecution and sentencing for the offense subject to a greater penalty.</p>
Vermont	<p><u>§ 4003. Carrying dangerous weapons</u> A person who carries a dangerous or deadly weapon, openly or concealed, with the intent or avowed purpose of injuring a fellow man, or who carries a dangerous or deadly weapon within any state institution or upon the grounds or lands owned or leased for the use of such institution, without the approval of the warden or superintendent of the institution, shall be imprisoned not more than two years or fined not more than \$ 200.00, or both.</p> <p><u>§ 4016. Weapons in court</u> [Definitions] (2) "Dangerous or deadly weapon" means any firearm, or other weapon, device, instrument, material or substance, whether animate or inanimate, which in the manner it is used or is intended to be used is known to be capable of producing death or serious bodily injury.</p>
Virginia	<p><u>§ 18.2-308.1. Possession of firearm, stun weapon, or other weapon on school property prohibited</u> A. If any person possesses any (i) stun weapon or taser as defined in this section, (ii) knife, except a pocket knife having a folding metal blade of less than three inches, or (iii) weapon, including a weapon of like kind, designated in subsection A of § 18.2-308, other than a firearm, upon (a) the property of any public, private or parochial elementary, middle or high school, including buildings and grounds, (b) that portion of any property open to the public used for school-</p>

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	<p>sponsored functions or extracurricular activities while such functions or activities are taking place, or (c) any school bus owned or operated by any such school, he shall be guilty of a Class 1 misdemeanor.</p> <p>... The provisions of this section shall not apply to (i) persons who possess such weapon or weapons as a part of the school's curriculum or activities, (ii) a person possessing a knife customarily used for food preparation or service and using it for such purpose, (iii) persons who possess such weapon or weapons as a part of any program sponsored or facilitated by either the school or any organization authorized by the school to conduct its programs either on or off the school premises, (iv) any law-enforcement officer while engaged in his duties as such, (v) any person who possesses a knife or blade which he uses customarily in his trade...</p> <p>As used in this section:</p> <p>"Stun weapon" means any mechanism that is (i) designed to emit an electronic, magnetic, or other type of charge that exceeds the equivalency of a five milliamp 60 hertz shock and (ii) used for the purpose of temporarily incapacitating a person; and</p> <p>"Taser" means any mechanism that is (i) designed to emit an electronic, magnetic, or other type of charge or shock through the use of a projectile and (ii) used for the purpose of temporarily incapacitating a person.</p> <p><u>§ 18.2-308.2. Possession or transportation of firearms, stun weapons, tasers or concealed weapons by convicted felons; penalties...</u></p> <p>A. It shall be unlawful for (i) any person who has been convicted of a felony or (ii) any person under the age of 29 who was found guilty as a juvenile 14 years of age or older at the time of the offense of a delinquent act which would be a felony if committed by an adult, whether such conviction or adjudication occurred under the laws of this Commonwealth, or any other state, the District of Columbia, the United States or any territory thereof, to knowingly and intentionally possess or transport any firearm or stun weapon or taser as defined by § 18.2-308.1 or to knowingly and intentionally carry about his person, hidden from common observation, any weapon described in subsection A of § 18.2-308. However, such person may possess in his residence or the curtilage thereof a stun weapon or taser as defined by § 18.2-308.1. Any person who violates this section shall be guilty of a Class 6 felony. However, any person who violates this section by knowingly and intentionally possessing or transporting any firearm and who was previously convicted of a violent felony as defined in § 17.1-805 shall not be eligible for probation, and shall be sentenced to a minimum, mandatory term of imprisonment of five years. Any person who violates this section by knowingly and intentionally possessing or transporting any firearm and who was previously convicted of any other felony shall not be eligible for probation, and shall be sentenced to a minimum, mandatory term of imprisonment of two years. The minimum, mandatory terms of imprisonment prescribed for violations of this section shall not be suspended in whole or in part and shall be served consecutively with any other sentence. Any firearm, stun weapon or taser as defined by § 18.2-308.1, or any concealed weapon possessed, transported or carried in violation of this section shall be forfeited to the Commonwealth and disposed of as provided in § 18.2-310.</p> <p>C. Any person prohibited from possessing, transporting or carrying a firearm, stun weapon or taser under subsection A, may petition the circuit court of the jurisdiction in which he resides for a permit to possess or carry a firearm, stun weapon or taser...</p>
Washington	<p><u>§ 9.41.250 Dangerous weapons -- Penalty.</u></p> <p>Every person who:</p> <p>(1) Manufactures, sells, or disposes of or possesses any instrument or weapon of the kind usually known as slung shot, sand club, or metal knuckles, or spring blade knife, or any knife the blade of which is automatically released by a spring mechanism or other mechanical device, or any knife having a blade which opens, or falls, or is ejected into position by the force of gravity, or by an outward, downward, or centrifugal thrust or movement;</p> <p>(2) Furtively carries with intent to conceal any dagger, dirk, pistol, or other dangerous weapon; or</p> <p>(3) Uses any contrivance or device for suppressing the noise of any firearm, is guilty of a gross misdemeanor punishable under chapter 9A.20 RCW.</p> <p><u>§ 9.41.270 Weapons apparently capable of producing bodily harm -- Unlawful carrying or handling -- Penalty -- Exceptions.</u></p> <p>(1) It shall be unlawful for any person to carry, exhibit, display, or draw any firearm, dagger, sword, knife or other cutting or stabbing instrument, club, or any other weapon apparently capable of producing bodily harm, in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons.</p> <p>(2) Any person violating the provisions of subsection (1) above shall be guilty of a gross misdemeanor. If any person is convicted of a violation of subsection (1) of this section, the person shall lose his or her concealed pistol license, if any. The court shall send notice of the revocation to the department of licensing, and the city, town, or county which issued the license.</p> <p>...</p>

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West Virginia	<p><u>§61-7-2. Definitions.</u> (9) "Deadly weapon" means an instrument which is designed to be used to produce serious bodily injury or death or is readily adaptable to such use. The term "deadly weapon" shall include, but not be limited to, the instruments defined in subdivisions (1) through (8), inclusive, of this section or other deadly weapons of like kind or character which may be easily concealed on or about the person. For the purposes of section one-a, article five, chapter eighteen-a of this code and section eleven-a, article seven of this chapter, in addition to the definition of "knife" set forth in subdivision (3) of this section, the term "deadly weapon" also includes any instrument included within the definition of "knife" with a blade of three and one-half inches or less in length. Additionally, for the purposes of section one-a, article five, chapter eighteen-a of this code and section eleven-a, article seven of this chapter, the term "deadly weapon" includes explosive, chemical, biological and radiological materials. Notwithstanding any other provision of this section, the term "deadly weapon" does not include any item or material owned by the school or county board, intended for curricular use, and used by the student at the time of the alleged offense solely for curricular purposes.</p>
Wisconsin	<p><u>§ 941.295 Possession of electric weapon.</u> (1) Whoever sells, transports, manufactures, possesses or goes armed with any electric weapon is guilty of a Class H felony. (2) Subsection (1) does not apply to: (a) Any peace officer. (b) Any armed forces or national guard personnel while on official duty. (c) Any corrections personnel in the department of corrections while on official duty. (d) Any manufacturer or seller whose electric weapons are used in this state solely by persons specified in pars. (a) to (c). (e) Any common carrier transporting electric weapons. (3) During the first 30 days after May 7, 1982, the electric weapons may be surrendered to any peace officer. Peace officers shall forward electric weapons to the crime laboratories if the retention of those weapons is not necessary for criminal prosecution purposes. (4) In this section, "electric weapon" means any device which is designed, redesigned, used or intended to be used, offensively or defensively, to immobilize or incapacitate persons by the use of electric current.</p>
Wyoming	<p><u>6-1-104. Definitions</u> (a) As used in W.S. 6-1-101 through 6-10-203 unless otherwise defined: iv) "Deadly weapon" means but is not limited to a firearm, explosive or incendiary material, motorized vehicle, an animal or other device, instrument, material or substance, which in the manner it is used or is intended to be used is reasonably capable of producing death or serious bodily injury</p>