



Arizona State Senate Issue Brief

November 23, 2022

Note to Reader:

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ARIZONA'S CONCEALED CARRY LAWS

INTRODUCTION

The Second Amendment to the U.S. Constitution provides the right of the people to keep and bear arms. Similarly, the Arizona Constitution states, “the right of the individual citizen to bear arms in defense of himself or the state shall not be impaired.”¹ States differ on the extent to which they regulate gun ownership and practices, such as issuing a permit to carry a concealed weapon (CCW). While federal law places certain restrictions on gun possession and operation, state laws may be enforced to the extent that they do not conflict with federal law.

One example of federal gun ownership regulation is the Brady Handgun Violence Prevention Act (Brady Act) of 1993. The Brady Act requires a background check on any individual purchasing a gun from a licensed dealer to ensure that the person may lawfully possess a firearm.² Federal law places restrictions on the purchase of firearms for reasons of age, criminal history and mental incompetence.³ Under the Brady Act, if the purchaser already holds a permit that requires a background check, such as a CCW permit, the person is exempt from the background check.

ARIZONA CCW PERMIT REQUIREMENTS

Until Arizona passed its concealed carry law in 1994, persons in Arizona were only able to carry weapons without a permit if the weapon was visible. If the weapon was contained in a holster or similar carrying case, the possessor did not need a CCW permit, provided that the holster was completely or partially visible. Since 2010, persons legally able to carry a weapon openly may also carry a concealed weapon without a CCW permit, subject to certain restrictions.⁴

A person may still choose to obtain a CCW permit for various reasons, including reciprocity, carrying a concealed weapon in a bar or restaurant that does not prohibit doing so or carrying a concealed

¹ [Ariz. Const. art. 2, § 26](#)

² [P.L. 103-159, 103rd Congress, 1993](#)

³ [18 U.S.C. § 922](#)

⁴ [Laws 2010, Chapter 59; A.R.S. § 13-3102](#)

weapon in certain public buildings. If a person chooses to apply for a CCW permit, Arizona law requires applicants to: 1) be Arizona residents or U.S. citizens; 2) be lawfully present in the United States; 3) be at least 21 years old or, if the person is active-duty military or an honorably discharged veteran, at least 19 years old; 4) not be a prohibited possessor under indictment for or convicted of a felony, unless the conviction has been expunged, set aside or vacated; 5) not suffer from mental illness or be adjudicated mentally incompetent; and 6) satisfactorily complete a firearms safety training program or otherwise demonstrate competency with a firearm and provide adequate documentation of completion. Adequate documentation includes any one of the following: 1) a valid current or expired CCW permit issued by the Arizona Department of Public Safety (DPS); 2) a certificate, card or document showing the applicant has completed any course or class that meets statutory requirements relating to safety training and competency with firearms; 3) a U.S. Department of Defense Form 214 indicating honorable or general discharge under honorable conditions, a certificate of basic training completion, or any other document demonstrating the applicant's service in the U.S. Armed Forces; or 5) a concealed weapon, firearm, or handgun permit or license issued by another state or political subdivision for which training was required for issuance.⁵

Arizona is a shall issue state, meaning that DPS may not deny a CCW permit application if the person meets all statutory requirements.

FIREARMS SAFETY TRAINING PROGRAMS AND COMPETENCY WITH FIREARMS

CCW permit applicants must provide documentation that they have received firearms safety training that demonstrates their competency with firearms. This includes any of the following: 1) a firearms safety or training program available to the general public through a law enforcement agency or another appropriate

entity that is approved by DPS or conducted by instructors who possess current National Rifle Association (NRA) instructor certifications; 2) any hunter education or safety course approved by the Arizona Game and Fish Department or a similar agency of another state; 3) any NRA firearms safety or training course; 4) any law enforcement firearms class or course offered for security guards, investigators, special deputies, or other divisions of law enforcement or security enforcement approved by DPS; 5) evidence of current military service or honorable discharge from the U.S. armed forces; 6) a valid current or expired concealed weapon, firearm or handgun permit or license issued by another state that mandates testing or training for initial issuance; 7) any governmental police agency firearms course and qualification to carry a firearm in the course of police duties; or 8) any other firearms training conducted by a firearms instructor approved by DPS or certified by the NRA.⁶

INITIAL APPLICATIONS

To apply for a CCW permit, a person must submit to DPS: 1) a completed application; 2) a certificate of completion from an authorized firearms safety training course or documentation demonstrating the applicant's competency with a firearm; 3) two sets of fingerprints; and 4) an application fee. In addition, applicants must sign a statement attesting to the truth of the statements made and that they have been provided with, and are knowledgeable about, statutes relating to justification defenses and weapons and explosives. Arizona law requires the Director of DPS to determine the fee that must accompany an initial and renewal application for a CCW permit.⁷

Arizona law also requires DPS to check the criminal history of every applicant against the Central State Repository for criminal records in Arizona within 60 days of receiving an application. DPS may exchange fingerprint information with the Federal Bureau of Investigation (FBI) for federal

⁵ [A.R.S. § 13-3112](#)

⁶ [A.R.S. § 13-3112\(N\)](#)

⁷ [A.R.S. § 13-3112\(F\)](#)

criminal history checks. If the applicant qualifies for a CCW permit, DPS must issue the permit within 15 working days of completing the background checks. Similarly, DPS must notify an applicant of a denied permit application within 15 days after background check completion and state the reasons for denial.⁸

RENEWALS

An Arizona-issued CCW permit, with certain exceptions for the armed forces, is valid for five years and may be renewed.⁹

The DPS Concealed Weapons Permit Unit mails renewal packets to permit holders at least 60 days before the permit is set to expire.¹⁰

Within 60 days of receiving an application for renewal, DPS must perform another criminal history check on the applicant. If the applicant is no longer eligible for a CCW permit, DPS must suspend or revoke the permit and notify the applicant in writing. If a renewal application is received more than 60 days after the date of expiration of the CCW permit, DPS must deny the application and the applicant must complete an initial CCW application to obtain a permit.¹¹

The fee for an initial CCW permit application is \$60, and the fee for a CCW permit renewal application is \$43.¹²

CIVIL PENALTIES, RESTRICTIONS AND EXCEPTIONS

A law enforcement officer may take temporary custody of a firearm during an investigatory stop of a possessor. A person who lawfully carries a concealed weapon on the premises of an on-sale retailer of spirituous liquor is required to present the permit to a law enforcement officer for inspection upon request. Failure to do so may result in a civil of up to \$300.¹³

Arizona and federal law prohibit carrying firearms in certain situations, regardless of whether a person possesses a CCW permit. Firearms are prohibited in the following locations, with some exceptions for peace officers: 1) polling places on election day; 2) nuclear power plants or hydroelectric generating stations; 3) military installations; 4) Indian reservations; 5) federal buildings and courthouses; 6) airports, except that firearms may be transported subject to federal rules; 7) correctional facilities; 8) national parks, unless they are permitted under state law; and 9) game preserves.¹⁴ Furthermore, individuals may be prohibited from possessing firearms on the premises of a business that serves alcohol if indicated by a sign that meets statutory requirements. If such an establishment allows firearms on its premises, individuals in possession of a firearm must have a CCW permit and are prohibited from consuming alcohol.¹⁵

Firearms are prohibited in public buildings and events if the owner or sponsor requests that a person carrying a weapon place the weapon in storage. Firearms are not allowed on school grounds, with the following exceptions: 1) a firearm carried by an adult in a vehicle, provided that the firearm is not loaded and, if the adult leaves the vehicle, the vehicle is locked and the firearm is not visible from the outside; 2) a firearm that is used in a program approved by the school; or 3) a firearm carried by a person possessing a certificate of firearms proficiency and who is authorized under the Law Enforcement Officers Safety Act to carry a concealed firearm.¹⁶ Additionally, the owner of a private establishment may request a person carrying a firearm to remove the gun from the premises; a person who refuses to comply may be charged with criminal trespassing.¹⁷

LAW ENFORCEMENT OFFICERS

In Arizona, peace officers who are certified active duty by the Arizona Peace Officer Standards and Training Board, federally credentialed peace

⁸ [A.R.S. § 13-3112\(H\)](#)

⁹ [Laws 2006, Chapter 121](#); [A.R.S. § 13-3112](#)

¹⁰ [A.R.S. § 13-3112\(K\)](#)

¹¹ [A.R.S. § 13-3112\(M\)](#); [A.A.C. R13-9-204](#)

¹² [DPS: Concealed Weapons and Permits](#)

¹³ [A.R.S. § 13-3112\(A\)\(C\)](#)

¹⁴ [18 U.S.C. § 930](#); [P.L. 111-24 § 512](#); [A.R.S. §§ 13-3102 and 31-129](#);
[FAQ CCW Carrying Questions](#)

¹⁵ [A.R.S. § 4-244](#)

¹⁶ [A.R.S. § 13-3102](#)

¹⁷ [A.R.S. § 13-1502](#)

officers, honorably retired federal, state or local peace officers with a minimum of 10 years of service, or active duty county detention officers who have been weapons certified are exempt from the initial firearms safety training requirement to obtain a CCW permit.

The federal Law Enforcement Officers Safety Act, passed by the U.S. Congress in 2004, allows qualified law enforcement officers to carry concealed nationwide if they carry a photo ID issued by the agency for which they work or from which they retired. The ID must indicate that the individual has been tested within the past year and meets state qualifications to carry a firearm. If the ID does not indicate the required information, the officer must instead carry a certification issued by the state in which they reside with the required information.¹⁸

In 2005, Arizona took steps to implement the Law Enforcement Officers Safety Act by allowing DPS to issue firearm proficiency certificates. Laws 2006, Chapter 70 exempted qualified law enforcement officers who obtain this proficiency certificate from the initial training course required to obtain a CCW permit.¹⁹

RECIPROCITY

A person holding a CCW permit from another state must meet specified statutory requirements in order to use the permit in Arizona. The permit holder must be legally present in Arizona, but is not required to be an Arizona resident, and the person must not be legally prohibited from possessing a firearm under Arizona law. In addition, the CCW permit must be recognized as valid in the issuing state.²⁰

In order for a person with an Arizona-issued CCW permit to carry concealed in another state, the person must be in compliance with that particular state's laws. Some states require a written reciprocal agreement in order to recognize CCW permits issued by other states.

Arizona recognizes all other states' valid permits and has written reciprocal agreements with the states of Alaska, Arkansas, Idaho, Ohio, Pennsylvania, South Dakota, Texas and West Virginia. The following 28 states recognize Arizona-issued CCW permits without a written reciprocal agreement: Alabama, Colorado, Delaware, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Mexico, North Carolina, North Dakota, Oklahoma, South Carolina, Tennessee, Utah, Virginia, Wisconsin and Wyoming. The remaining 13 states do not recognize Arizona CCW permits. It is recommended that persons who wish to carry a concealed weapon in another state using an Arizona CCW permit contact that state directly, as changes may occur.²¹

ADDITIONAL RESOURCES

- Weapons and Explosives statutes:
[A.R.S. Title 13, Chapter 31](#)
- Arizona Department of Public Safety
Concealed Weapons Permit Unit:
[Concealed Weapons and Permits](#)
- Arizona Administrative Rules on Concealed
Weapons Permits:
[A.A.C. R13-9-101 – R13-9-603](#)
- Federal Law Enforcement Officers Safety Act
of 2004:
[Public Law 108-277, 108th Congress, 2002](#)
- FBI National Instant Criminal Check System:
[Firearms Checks \(NICS\)](#)

¹⁸ 18 U.S.C. §§ 926B and 926C

¹⁹ Laws 2006, Chapter 70; A.R.S. § 13-3112

²⁰ A.R.S. § 13-3112(Q)

²¹ [DPS: Reciprocal and Recognition Agreements](#)