

## **RIGHT TO BEAR ARMS IN STATE CONSTITUTIONS**

### **Alabama:**

That every citizen has a right to bear arms in defense of himself and the state.

Ala. Constitution Article I, Section 26.

### **Alaska:**

A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

Alaska Constitution Article I, Section 19

### **Arizona:**

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

Arizona Constitution Article 2, Section 26.

### **Arkansas:**

The citizens of this State shall have the right to keep and bear arms for their common defense.

Ark. Constitution Article II, Section 5

### **Colorado:**

The right of no person to keep and bear arms in defense of his home, person and property, or in aid of the civil power when thereto legally summoned, shall be called in question; but nothing herein contained shall be construed to justify the practice of carrying concealed weapons.

Colo. Constitution Article II, Section 13

### **Connecticut:**

Every citizen has a right to bear arms in defense of himself and the state.

Conn. Constitution Article I. Section 15

### **Delaware:**

A person has the right to keep and bear arms for the defense of self, family, home, and State, and for hunting and recreational use.

Delaware Constitution Article I, Section 20.

**Florida:**

The right of the people to keep and bear arms in defense of themselves and of the lawful authority of the state shall not be infringed, except that the manner of bearing arms may be regulated by law.

Fla. Constitution Article I, Section 8.

**Georgia:**

The right of the people to keep and bear arms, shall not be infringed, but the General Assembly shall have power to prescribe the manner in which arms may be borne.

Georgia Constitution Article I, Section 1.

**Hawaii:**

A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

Hawaii Constitution Article I, Section 15.

**Idaho:**

The people have the right to keep and bear arms, which right shall not be abridged; but this provision shall not prevent the passage of laws to govern the carrying of weapons concealed on the person nor prevent passage of legislation providing minimum sentences for crimes committed while in possession of a firearm, nor prevent the passage of legislation providing penalties for the possession of firearms by a convicted felon, nor prevent the passage of any legislation punishing the use of a firearm. No law shall impose licensure, registration or special taxation on the ownership or possession of firearms or ammunition. Nor shall any law permit the confiscation of firearms, except those actually used in the commission of a felony.

Idaho Constitution Article I, Section 11

**Illinois:**

Subject only to the police power, the right of the individual citizen to keep and bear arms shall not be infringed.

Ill. Constitution Article I, Section 22

**Indiana:**

The people shall have a right to bear arms, for the defense

of themselves and the State.  
Ind. Constitution Article I, Section 32

**Kansas:**

The people have the right to bear arms for their defense and security; but standing armies, in time of peace, are dangerous to liberty, and shall not be tolerated, and the military shall be in strict subordination to the civil power.  
Kan. Constitution, Bill of Rights, 4.

**Kentucky:**

All men are, by nature, free and equal, and have certain inherent inalienable rights, among which may be reckoned: ... The right to bear arms in defense of themselves and of the State, subject to the power of the General Assembly to enact laws to prevent persons from carrying concealed weapons.  
Ky. Constitution 1.

**Louisiana:**

The right of each citizen to keep and bear arms shall not be abridged but this provision shall not prevent the passage of laws to prohibit the carrying of weapons concealed on the person.  
La. Constitution Article I, Section 4.

**Maine:**

Every citizen has the right to keep and bear arms for the common defense; and this right shall never be questioned.  
Me. Constitution Article 1, Section 16

**Massachusetts:**

The people have a right to keep and bear arms for the common defence. And as, in time of peace, armies are dangerous to liberty, they ought not to be maintained without the consent of the legislature; and the military power shall always be held in an exact subordination to the civil authority, and be governed by it.  
Mass. Constitution pt. 1, Article 17.

**Michigan:**

Every person has a right to keep and bear arms for the defense of himself and the state.  
Mich. Constitution Article I, Section 6.

**Mississippi:**

The right of every citizen to keep and bear arms in defense of his home, person, or property, or in aid of the civil power where thereto legally summoned, shall not be called in question, but the legislature may regulate or forbid carrying concealed weapons.

Miss. Constitution Article III, Section 12.

**Missouri:**

That the right of every citizen to keep and bear arms in defense of his home, person and property, or when lawfully summoned in aid of the civil power, shall not be questioned; but this shall not justify the wearing of concealed weapons.

Mo. Constitution Article I, Section 23.

**Montana:**

The right of any person to keep or bear arms in defense of his own home, person, and property, or in aid of the civil power when thereto legally summoned, shall not be called in question, but nothing contained shall be held to permit the carrying of concealed weapons.

Mont. Constitution Article II, Section 12

**Nevada:**

Every citizen has the right to keep and bear arms for security and defense, for lawful hunting and recreational use and for other lawful purposes.

Nevada Constitution Article 1, Section II, par. 1.

**New Hampshire:**

All persons have the right to keep and bear arms in defense of themselves, their families, their property, and the state.

New Hampshire Constitution Part First, Article 2-a.

**New Mexico:**

No law shall abridge the right of the citizen to keep and bear arms for security and defense, for lawful hunting and recreational use and for other lawful purposes, but nothing herein shall be held to permit the carrying of concealed weapons.

N.M. Constitution Article II, Section 6.

**North Carolina:**

A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed; and, as standing armies in time of peace are dangerous to liberty, they shall not be maintained, and the military shall be kept under strict subordination to, and governed by, the civil power. Nothing herein shall justify the practice of carrying concealed weapons, or prevent the General Assembly from enacting penal statutes against that practice.

N.C. Constitution Article I, Section 30.

**North Dakota:**

All individuals are by nature equally free and independent and have certain inalienable rights, among which are ... to keep and bear arms for the defense of their person, family, property, and the state, and for lawful hunting, recreational, and other lawful purposes, which shall not be infringed.

North Dakota Constitution Art. I, Section 1

**Ohio**

The people have the right to bear arms for their defense and security; but standing armies, in time of peace are dangerous to liberty, and shall not be kept up; and the military shall be in strict subordination to the civil power.

Ohio Constitution Article I, Section 4.

**Oklahoma:**

The right of a citizen to keep and bear arms in defense of his home, person, or property, or in aid of the civil power, when thereunto legally summoned, shall never be prohibited; but nothing herein contained shall prevent the Legislature from regulating the carrying of weapons.

Okla. Constitution Article II, Section 26.

**Oregon:**

The people shall have the right to bear arms for the defense

of themselves, and the State, but the Military shall be kept in strict subordination to the civil power.  
Oregon Constitution Article I, Section 27.

**Pennsylvania:**

The right of the citizens to bear arms in defence of themselves and the State shall not be questioned.  
Pa. Constitution Article I, Section 21.

**Rhode Island:**

The right of the people to keep and bear arms shall not be infringed.  
R.I. Constitution Article I, Section 22.

**South Carolina:**

A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed. As, in times of peace, armies are dangerous to liberty, they shall not be maintained without the consent of the General Assembly. The military power of the State shall always be held in subordination to the civil authority and be governed by it. No soldier shall in time of peace be quartered in any house without the consent of the owner nor in time of war but in the manner prescribed by law.  
S.C. Constitution Article I, Section 20.

**South Dakota:**

The right of the citizens to bear arms in defense of themselves and the state shall not be denied.  
S.D. Constitution Article VI, Section 24

**Tennessee:**

That the citizens of this State have a right to keep and to bear arms for their common defense; but the Legislature shall have power, by law, to regulate the wearing of arms with a view to prevent crimes.  
Tenn. Constitution Article I, Section 26.

**Texas:**

Every citizen shall have the right to keep and bear arms in the lawful defence of himself or the State; but the Legislature shall have power, by law, to regulate the wearing of arms, with a view to prevent crime.  
Tex. Constitution Article I, Section 23.

**Utah:**

The people have the right to bear arms for their security and defense, but the Legislature may regulate the exercise of this right by law.

Utah Constitution Article I, Section 6.

**Vermont:**

That the people have a right to bear arms for the defence of themselves and the State - and as standing armies in time of peace are dangerous to liberty, they ought not to be kept up; and that the military should be kept under strict subordination to and governed by the civil power.

Vt. Constitution ch. 1, Article 16.

**Virginia:**

That a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state, therefore, the right of the people to keep and bear arms shall not be infringed; that standing armies, in time of peace, should be avoided as dangerous to liberty; and that in all cases the military should be under strict subordination, to, and governed by, the civil power.

Va. Constitution Article I, Section 13.

**Washington:**

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

Wash. Constitution Article I, Section 24.

**West Virginia:**

A person has the right to keep and bear arms for the defense of self, family, home, and state, and for lawful hunting and recreational use.

West Virginia Constitution Article III, Section 22.

**Wyoming:**

The right of the citizens to bear arms in defense of themselves and of the state shall not be denied.

Wyo. Constitution Article I, Section 24.

**STATES WITHOUT CONSTITUTIONAL PROVISIONS:**

Eight states do not have (as of June 1, 1988) constitutional provisions on the right to keep and bear arms. They are California, Iowa, Maryland, Minnesota, Nebraska, New Jersey, New York, and Wisconsin.

