

## Open Carry Laws

Open Carry is the act of openly carrying a firearm or other defensive tool in plain sight in places where the public is normally allowed to dwell.

Concealed Carry in which the firearm or defensive tool is concealed beneath the clothing, a handbag or other location where the defensive tool is not visible.

The legality of Open Carry was reassured in Virginia after a July 2nd, 2004 incident in which two men entered a Starbucks openly carrying side arms and the local law enforcement responded by confiscating the firearms and charging them with a misdemeanor. After the issue was cleared up, the officers returned their firearms and apologized for the confusion.

Open Carry laws vary from state to state and in some cases from county to county. Some states have pre-emptive firearms laws, meaning that local ordinances (counties and cities) may not create their own firearm laws.

Vermont is unique in that no permit is required to carry Concealed. Vermont is a model state in perhaps showing that gun control has no effect on violent crime where as the opposite...no gun control may actually reduce crime by allowing citizens to arm themselves in defense of persons and property.

California has the most restrictive gun laws, banning a variety of weapons and ammunition. Open Carry with a permit is permitted in California, so long as you are in an area with a population of less than 200,000 as of last census and it is your responsibility to know the population. It is believed that many of these restrictive anti-gun laws in California can be attributed to its lack of constitutional protection of the right to keep and bear arms.

### Open Carry in History

Several states permit Open Carry. Kentucky's constitution for example explicitly forbids the passage of laws forbidding open carry:

#### From the Kentucky Bill of Rights Section 1

"Seventh: 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." As you can see, the framers of Kentucky's constitution meant to insure the open carry of arms was protected, giving the general assembly power only to enact laws preventing persons from carrying concealed weapons.

### Hardin County Sheriff's Office

150 N Provident Way Suite 101  
Elizabethtown KY 42701  
Web Address <http://www.hcky.org/hcso/>

Phone 270-765-5133  
Fax: 270-737-4574  
E-mail: [info.hcso@hcky.org](mailto:info.hcso@hcky.org)

# Concealed Carry

## A brief overview of concealed carry laws in Kentucky.

Hardin County Sheriff's Office



### A constitutional office

150 N Provident Way, Suite 101  
Elizabethtown KY 42701  
270-765-5133

## A brief overview of "Concealed Carry" laws in Kentucky.

**Deadly Weapons** – The term includes items such as handguns and other firearms, knives (other than ordinary pocket and hunting knives), police batons, clubs, blackjacks, slapjacks, nunchaku karate sticks, shurikens or death stars, and artificial knuckles made from hard materials.

**License Requirements** – To be eligible to apply for a license to carry concealed deadly weapons, issued by the Commonwealth of Kentucky, a person must:

- ◆ Be at least 21 years old.
- ◆ Be a citizen of the United States.
- ◆ Have been a Kentucky resident for at least the last six months before applying or a member of the armed services stationed in KY for the previous six months.
- ◆ Pass a state records check regarding criminal, drug abuse and mental history.
- ◆ Pass a similar federal check including NICS specifically.
- ◆ Successfully complete an eight hour course of training which includes safe use and care of handguns, the laws regarding the possession and carrying of firearms and the use of force, and range firing with the requirement to hit a full size silhouette target 11 out of 20 rounds .

- ◆ Active and retired US Military call 270-765-5133 for more information.

### A person is not eligible to apply for a license if that person:

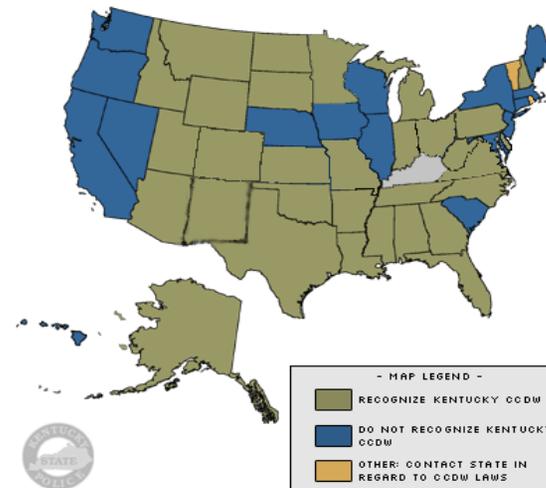
- \* Is ineligible to possess a firearm such as a Convicted Felon.
- \* Has been convicted of a misdemeanor crime of assault in the 4th degree or terroristic threatening within the previous three (3) years
- \* Is in arrearage on child support equal to 1 year of non-payment or has not complied with any subpoena or warrant relating to child support or paternity proceedings
- \* Has been committed to a state or federal facility for the abuse of a controlled substance, or been convicted of a misdemeanor violation of laws of any state relating to controlled substances, within the previous three (3) years.
- \* Chronically and habitually uses alcoholic beverages as evidenced by the applicant having two (2) or more DUI convictions or having been committed as an alcoholic pursuant to the laws of any state within the previous three (3) years.
- \* Is ineligible to possess a firearm under federal law

### Associated Application Fees:

**\$40.00** Check or Money Order to KSP

**\$20.00** Cash, Check or MO to HCSO

If you do not bring in a current ID photo there is a **\$5.00** photo fee. This fee can be paid cash, check or MO to HCSO.



The map above shows states that do and do not recognize Kentucky's CCDW License. As is always the case the best policy is to call ahead if you will be traveling outside of Kentucky with a concealed deadly weapon. It could save you time and embarrassment.

