

HB 521 -- Negligent Storage of a Firearm

Sponsor: Fraser

This bill creates the crime of negligent storage of a firearm, a class A misdemeanor. A person commits the crime when he or she stores a firearm on any premises under his or her control; knows or reasonably should know that a minor has access to the firearm; and a minor obtains the firearm and causes death or serious injury to a person, exhibits the firearm in a public place, or uses it to threaten injury to any person.

The bill defines "minor" as a person age 18 or younger.

The crime does not occur when:

- (1) The firearm was in a securely locked container;
- (2) The firearm was secured by a locking mechanism making the firearm inoperable;
- (3) The firearm was in a dismantled state that rendered it inoperable and the parts needed to make it operable were in a securely locked container;
- (4) The firearm was unloaded and the ammunition was in a securely locked container;
- (5) The owner of the firearm is a peace officer;
- (6) The minor obtained and discharged the firearm in an act of self defense;
- (7) The minor obtained the firearm as the result of an unlawful entry;
- (8) The minor was supervised by a person age 21 or older and was engaged in hunting, sporting, or any other lawful purpose; or
- (9) The minor was engaged in an agricultural enterprise.

A notice must be displayed where firearms are sold explaining the negligent storage of firearms law. Persons not complying with this notice provision will be guilty of a misdemeanor and subject to a fine of up to \$1,000 and up to 30 days in jail.