

April 9, 2009

H 1328. SAFE STORAGE OF FIREARMS. Filed 4/8/09. *TO AMEND REQUIREMENTS FOR THE STORAGE OF FIREARMS TO PROTECT MINORS, TO ENCOURAGE UNLOADED STORAGE OF FIREARMS, AND TO PROVIDE NOTICE OF SAFE STORAGE REQUIREMENTS.*

Amends GS 14-315.1 to provide that any person (was, any person who resides in the same premises as a minor and owns or possesses a firearm) who stores or leaves a firearm in a manner that the person knew or should have known that an unsupervised minor would be able to gain access to the firearm (was, and stores or leaves a firearm in a condition that the firearm can be discharged) is guilty of a Class 1 misdemeanor if a minor gains access to the firearm without the lawful permission of the minor's parents or a person having charge of the minor and the minor (1) possesses it in violation of GS 14-269.2(b) or (2) exhibits it in a public place. Makes it a Class A1 misdemeanor (was, Class 1 misdemeanor) for any person who stores or leaves a firearm in a manner that the person knew or should have known that a minor would be able to gain access to the firearm if a minor gains access to the firearm without the lawful permission of the minor's parents or a person having charge of the minor and the minor (1) uses the firearm to cause personal injury or death, not in self-defense, or (2) uses the firearm in commission of a crime. Specifies that subsections (a) and (a1) do not apply if (1) the firearm is kept unloaded in a locked box or container, with the ammunition stored separately or (2) the firearm is kept unloaded and equipped with a tamper-resistant mechanical lock or other safety device properly engaged so as to render the weapon inoperable by any person other than the owner or other authorized user. Amends GS 14-315.2(b) to add to the mandatory warning language that must be posted by any store selling firearms to caution purchasers of firearms that the owner of a firearm may be guilty of a criminal offense if a minor obtains and uses a firearm unless the owner stores the firearm in a locked container or locks the firearm. Effective for offenses committed on or after December 1, 2009.

Intro. by Bryant, Hall.

GS 14