

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025**

H

1

HOUSE BILL 643

Short Title: Clarify Firearm Storage Law. (Public)

Sponsors: Representatives Rubin, Helfrich, A. Jones, and Clark (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Rules, Calendar, and Operations of the House

April 2, 2025

A BILL TO BE ENTITLED
AN ACT TO CLARIFY THAT THE LAW REQUIRING THE STORAGE OF FIREARMS TO
PROTECT MINORS APPLIES TO FIREARMS THAT ARE LOADED AND
UNLOADED.

Whereas, in *State v. Cable*, No. COA23-192 (2024), our Court of Appeals held that our criminal statute requiring safe storage of firearms around minors, G.S. 14-315.1, was ambiguous; and

Whereas, in that case, the Court declined to consider a firearm to be "in a condition that the firearm can be discharged" when it was stored unloaded and sitting next to ammunition; and

Whereas, in that case, a 16-year-old spending the night at a friend's house found the firearm and ammunition, loaded the firearm, and accidentally killed himself; and

Whereas, G.S. 14-315.1 already requires, for it to be criminal conduct, that the firearm be used in a harmful way—such as causing injury or committing a crime; and

Whereas, storing a firearm next to ammunition and accessible to minors is the sort of conduct that, when it leads to harm, is plainly within the dangerous conduct the statute is intended to reach; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-315.1 reads as rewritten:

"§ 14-315.1. Storage of firearms to protect minors.

(a) Any person who resides in the same premises as a minor, owns or possesses a firearm, and stores or leaves the firearm ~~(i) in a condition that the firearm can be discharged and (ii) in a manner that the person knew or should have known that an unsupervised minor would be able to gain access to the firearm, is guilty of a Class 4-A1 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 does any of the following:

(1) Possesses it in violation of ~~G.S. 14-269.2(b);~~ G.S. 14-269.2(b).

(2) Exhibits it in a public place in a careless, angry, or threatening ~~manner;~~ manner.

(3) Causes personal injury or death with it not in self ~~defense;~~ or defense.

(4) Uses it in the commission of a crime.

...."

SECTION 2. This act becomes effective December 1, 2025, and applies to offenses committed on or after that date.

