

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

H.B. 254
Mar 1, 2023
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH30112-ML-83

Short Title: Storage of Firearms to Protect Minors. (Public)

Sponsors: Representative A. Jones.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE A PERSON WHO OWNS OR POSSESSES A FIREARM AND
3 RESIDES IN THE SAME PREMISES AS A MINOR TO STORE OR KEEP THE
4 FIREARM IN A LOCKED CONTAINER EXCEPT WHEN THE FIREARM IS BEING
5 LAWFULLY CARRIED OR USED.

6 The General Assembly of North Carolina enacts:

7 SECTION 1. G.S. 14-315.1 is repealed.

8 SECTION 2. Article 39 of Chapter 14 of the General Statutes is amended by adding
9 a new section to read:

10 "§ 14-315.1A. Require safe storage of firearms.

11 (a) Requirement. – Except when being carried or used by the owner or another lawfully
12 authorized user, a person who owns or possesses a firearm and resides in the same premises as a
13 minor shall store or keep the firearm in a locked container. For purposes of this subsection, the
14 term "firearm" includes weapons regulated under G.S. 14-409. Nothing in this subsection shall
15 be construed as authorizing the possession of a firearm otherwise prohibited under State or
16 federal law.

17 (b) Penalty. – A person who violates subsection (a) of this section is guilty of a Class A1
18 misdemeanor.

19 (c) Damages. – If a minor accesses a firearm stored or kept in violation of subsection (a)
20 of this section and the minor uses the firearm in a way that results in injury to a person or property,
21 the person whose property or person is injured may sue for and recover treble damages, costs,
22 and attorneys' fees pursuant to G.S. 1-539.2D from the person who violated subsection (a) of this
23 section."

24 SECTION 3. G.S. 14-315.2 reads as rewritten:

25 "§ 14-315.2. Warning upon sale or transfer of firearm to protect minor.~~firearm to safely~~
26 store firearm.

27 (a) Upon the retail commercial sale or transfer of any firearm, the seller or transferor shall
28 deliver a written copy of ~~G.S. 14-315.1~~ G.S. 14-315.1A to the purchaser or transferee.

29 (b) Any retail or wholesale store, shop, or sales outlet that sells firearms shall
30 conspicuously post at each purchase counter the following warning in block letters not less than
31 one inch in height the phrase: "~~IF~~ EXCEPT WHEN BEING CARRIED OR USED BY THE
32 OWNER OR ANOTHER LAWFULLY AUTHORIZED USER, IT IS UNLAWFUL TO STORE
33 OR LEAVE ~~KEEP~~ A FIREARM THAT CAN BE DISCHARGED IN A MANNER THAT A
34 REASONABLE PERSON SHOULD KNOW IS ACCESSIBLE TO A MINOR. MINOR IN
35 ANY PLACE OTHER THAN A LOCKED CONTAINER."

36 (c) A violation of subsection (a) or (b) of this section is a Class 1 misdemeanor."



1 **SECTION 4.** This act becomes effective December 1, 2023, and applies to offenses
2 committed on or after that date.