

Subject Establishing standards for the storage of firearms

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Overview

Under current law, it is a crime to store or leave a loaded firearm in a location where the person knows, or should know, that a child is likely to gain access to the firearm unless the person takes reasonable action to prevent a child from accessing the firearm.

This bill expands the requirements related to the storage of firearms to say that a person must either store a firearm unloaded and equipped with a locking device or else store the firearm in a firearm storage unit. Failure to store firearms as required is a crime that may be punished by a misdemeanor, gross misdemeanor, or felony sentence. The bill also provides that a person who commits the offense of negligent storage of firearms at the gross misdemeanor level is prohibited from possessing a firearm for three years.

Summary

Section	Description
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1	Negligent storage of firearms.
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Subd. 1. Definitions. Adds definitions for “authorized user,” “firearm storage unit,” and “locking device,” and amends the definition of “firearm.”

Subd. 2. Access to firearms. Establishes that a person who owns or possesses a firearm must secure the firearm when it is not in the person’s direct physical control or reach by either (1) unloading and equipping it with a locking device or (2) placing it in a locked firearm storage unit. Provides that a person who violates the section is guilty of a crime and may be sentenced as provided in subdivision 2a.

Subd. 2a. Penalties. Establishes a misdemeanor penalty for a person who violates subdivision 2 and is not subject to any of the other penalties in the section. Establishes a gross misdemeanor penalty for a person if the firearm is both loaded and unsecured. Establishes a felony penalty with a maximum period

Section	Description
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of imprisonment of three years if a loaded, unsecured firearm is accessed by a child or a person who is prohibited from possessing firearms. Establishes a felony penalty with a maximum period of imprisonment of five years if an unsecured firearm is used in certain crimes.

Subd. 3. Limitations. Provides that subdivisions 2 and 2a do not apply to transportation of a firearm consistent with the requirements of section 97B.045, a firearm used at a high school shooting sport event, or firearms owned or possessed by a peace officer while the officer is engaged in the performance of official duties.

2 Ineligible persons.

Establishes that a person convicted of a gross misdemeanor crime involving the storage of firearms is prohibited from possessing a firearm for three years.



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