

SECOND REGULAR SESSION

HOUSE BILL NO. 2830

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GUNBY.

5687H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapters 571 and 630, RSMo, by adding thereto three new sections relating to the storage of firearms, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapters 571 and 630, RSMo, are amended by adding thereto three new sections, to be known as sections 571.055, 571.056, and 630.1040, to read as follows:

571.055. 1. This section shall be known and may be cited as the "Promoting Child Safety Through Responsible Firearm Storage Act".

2. As used in this section, the following terms mean:

(1) "Child", any person under eighteen years of age;

(2) "Locking device", a device that prohibits the operation or discharge of a firearm and that can be disabled only with the use of a key, combination, or biometric data;

(3) "Personalized firearm", a firearm that has, as part of its original manufacture, incorporated design technology that allows the firearm to be fired only by the authorized user and prevents any of the safety characteristics of the firearm from being readily deactivated by anyone other than the authorized user. The technology limiting the firearm's operation may include, but is not limited to, fingerprint verification, magnetic encoding, radio frequency tagging, or automatic user identification systems that utilize biometric, mechanical, or electronic systems.

3. The following actions shall be deemed responsible and secure storage of a firearm:

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 (1) A person carrying the firearm on his or her person or within such close
18 proximity that the person can readily retrieve and use the firearm as if the firearm were
19 carried on his or her person;

20 (2) (a) Keeping a firearm in a locked firearm safe or other secure container or in
21 a manner that a reasonable person would believe to be secure, which shall include
22 leaving a firearm in a locked vehicle; and

23 (b) Any child or cotenant who is ineligible to possess a firearm does not have
24 access to the key, combination, or other unlocking mechanism necessary to open the safe
25 or container;

26 (3) A person properly installs a locking device on the firearm, and a child or
27 cotenant who is ineligible to possess a firearm does not have access to the key,
28 combination, or other unlocking mechanism necessary to remove the locking device; or

29 (4) The firearm is a personalized firearm, and its safety characteristics are
30 activated.

31 4. A person commits the offense of unlawful storage of a firearm if the person
32 fails to responsibly and securely store a firearm, as described under subsection 3 of this
33 section, upon any premises that the person owns or controls, and:

34 (1) The person knows or reasonably should know a child can gain access to the
35 firearm without the permission of the child's parent or guardian; or

36 (2) The person knows or reasonably should know a cotenant is ineligible to
37 possess a firearm under state or federal law.

38 5. This section shall not apply the storing of an antique firearm, as defined under
39 18 U.S.C. Section 921, or a curio or relic, as defined under 27 CFR 478.11.

40 6. The offense of unlawful storage of a firearm is punishable by a five hundred
41 dollar fine for a first violation and punishable as a class B misdemeanor for a second or
42 subsequent violation.

43 7. It is a defense to the offense of unlawful storage of a firearm if a child gained
44 possession of and used the firearm in a lawful act of self-defense, defense of others, or
45 defense of livestock.

571.056. 1. Any firearms dealer licensed under 18 U.S.C. Section 923 shall post,
2 in a conspicuous location on its premises and at any other location at which the dealer
3 sells a firearm the following notice, in writing, on a printed card, with each letter at a
4 minimum of one inch in height:

Notice
Unlawful storage of a firearm may result in imprisonment or fine.

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8 **2. A violation of this section by a licensed firearms dealer is punishable by a**
9 **warning for a first violation and punishable by a fine of not more than five hundred**
10 **dollars for a second or subsequent violation.**

630.1040. 1. (1) The department of public safety shall include on a public page
2 **of the department's website addressing suicide prevention the following information:**

3 **(a) The offense of unlawful storage of a firearm under section 571.055; and**

4 **(b) The penalties for an offense related to providing a firearm to a child or**
5 **allowing a child to possess a firearm in violation of section 571.060.**

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7 **The information shall be in both English and Spanish.**

8 **(2) The department shall include references to the offenses described under**
9 **subdivision (1) of this subsection and direction to the department website for more**
10 **information about those offenses in any materials provided to:**

11 **(a) Licensed firearm dealers, shooting ranges, and safety instructors; and**

12 **(b) Health care providers, including facilities licensed or certified by the**
13 **department.**

14 **2. The department of public safety shall develop a notice intended to be**
15 **displayed on the premises of a licensed firearms dealer, and designed to be printed with**
16 **each letter at a minimum of one inch in height, that informs firearm purchasers that**
17 **unlawful storage of a firearm may result in imprisonment or fine. The department shall**
18 **make electronic copies of the notice publicly available for download from its website**
19 **without charge.**

20 **3. (1) Subject to available moneys, including appropriations or gifts, grants, or**
21 **donations received under subsection 4 of this section, the department of public safety**
22 **shall develop and implement a firearm safe storage education campaign, referred to in**
23 **this section as the "Education Campaign", to educate firearm owners, firearm**
24 **purchasers, licensed firearms dealers, shooting ranges, and safety instructors about safe**
25 **storage of firearms and state requirements related to firearm safety and storage. The**
26 **department shall consult with the department of corrections in developing and**
27 **implementing the education campaign.**

28 **(2) As part of the education campaign, the department of public safety may:**

29 **(a) Develop and provide materials to local law enforcement agencies to assist**
30 **those agencies with educating the public about safe storage of firearms and state**
31 **requirements related to firearm safety and storage;**

32 **(b) Develop and provide materials to health care providers to assist providers**
33 **with educating the public about safe storage of firearms and state requirements related**
34 **to firearm safety and storage; and**

35 **(c) Provide information about programs that assist firearm owners with the cost**
36 **of purchasing firearm locking devices, firearm safes, or other secure firearm storage**
37 **containers, including programs that provide free or reduced-price locking devices.**

38 **(3) (a) As part of the education campaign, the department of public safety shall**
39 **provide information on its website about community programs that allow firearm**
40 **owners to voluntarily and temporarily store a firearm at a secure location outside of the**
41 **home, including a firearm retailer, firearm range, or law enforcement agency.**

42 **(b) The department may provide assistance to any local entity that facilitates a**
43 **program described under this subdivision.**

44 **(4) In furtherance of the goals of the education campaign, the department of**
45 **public safety may use television messaging, radio broadcasts, print media, digital**
46 **strategies, or any other form of messaging deemed appropriate by the department.**

47 **4. The department of public safety may seek, accept, and expend gifts, grants, or**
48 **donations, including in-kind donations, from private or public sources for the purposes**
49 **of this section.**

50 **5. For fiscal years 2023, 2024, and 2025, the general assembly shall not**
51 **appropriate moneys from the general revenue fund for the purposes of this section. In**
52 **fiscal year 2026 and any subsequent fiscal year, the general assembly may appropriate**
53 **moneys from the general fund for the purposes of this section.**

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