

**§ 749.2961. Are weapons, firearms, explosive materials, and projectiles permitted in a foster home?**

(a) Generally, weapons, firearms, explosive materials, and projectiles (such as darts or arrows), are permitted. However, there are some specific restrictions.

(1) If you allow weapons, firearms, explosive materials, or projectiles, you must develop and enforce a policy identifying specific precautions to ensure that a child does not have unsupervised access to them, including requiring a foster parent to keep them in locked storage when they are not in use.

(2) You must determine that it is appropriate for a specific child to use the weapons, firearms, explosive materials, or projectiles.

(3) No child may use a weapon, firearm, explosive material, or projectile, unless the child is directly supervised by an adult knowledgeable about the use of the weapon, firearm, explosive material, or projectile that is to be used by the child.

(b) Your policies must require foster parents to notify you if there is a change in the type of or an addition to weapons, firearms, explosive materials, projectiles, or toys that explode or shoot that are on the property where the foster home is located.

(c) You must determine whether it is appropriate for a specific child to use a toy that explodes or shoots. The child must be supervised when using or being around a toy that explodes or shoots, and the toy must be age appropriate to the child.

(d) Firearms that are inoperable and solely ornamental are exempt from the storage requirements in this rule.

**History:**

The provisions of this §749.2961 adopted to be effective January 1, 2007, 31 TexReg 7469; amended to be effective March 1, 2008, 33

TexReg 1377; amended to be effective September 1, 2010, 35 TexReg 7522; amended to be effective January 1, 2017, 41 TexReg 9944; transferred effective March 9, 2018, as published in the Texas Register February 16, 2018, 43 TexReg 909; Amended by Texas Register, Volume 46, Number 23, June 4, 2021, TexReg 3531, eff. 6/27/2021; Amended by Texas Register, Volume 47, Number 16, April 22, 2022, TexReg 2290, eff. 4/25/2022