

§ 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 1 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:

- (1) Possesses it in violation of G.S. 14-269.2(b);
 - (2) Exhibits it in a public place in a careless, angry, or threatening manner;
 - (3) Causes personal injury or death with it not in self defense; **or**
 - (4) Uses it in the commission of a crime.
- (b) Nothing in this section shall prohibit a person from carrying a firearm on his or her body, or placed in such close proximity that it can be used as easily and quickly as if carried on the body.
- (c) This section shall not apply if the minor obtained the firearm as a result of an unlawful entry by any person.
- (d) "Minor" as used in this section means a person under 18 years of age who is not emancipated.

History:

1993, c. 558, s. 2; 1994, Ex. Sess., c. 14, s. 11.