



Proper Firearm Storage to Prevent Theft & Accidental Injury to a Child



Texas Department of Public Safety
Regulatory Services Division

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OBJECTIVES

- Explain the importance of secure storage of a firearm
- Identify types of firearms
- Identify storage options available
- Explain the responsibilities and consequences when firearms are made available to anyone other than those who should have access.
- Explain the penalties for making a firearm accessible to a child.



Types of Firearms

Handgun



- Fired from one hand
- No support from the shoulder
- Barrel length of under 16 inches

Rifle



- Fired with two hands
- Braced against the shoulder
- Fires one projectile with each pull of trigger
- Barrel length of 16+ inches

Shotgun



- Fired with two hands while braced
- Fires once per pull of the trigger
- Barrel length of 18+ inches

Theft prevention

As a firearms owner, keep in mind that one of the top items burglars target is guns – both in the home and in parked vehicles. When firearms fall into the wrong hands, it's a dangerous situation and one that can be avoided with some planning by the firearms owner.

Firearm theft reporting

As a firearms owner, you should report the theft or loss of your firearm within 48 hours of discovery to local law enforcement and the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

After you've contacted your local law enforcement agency, you can contact the ATF at (888) 930-9275. You'll also need to complete [ATF Form 3310.11](#) and follow the submission instructions.

A grayscale photograph of a handgun lying on a wooden surface. A hand is visible on the right side, holding a wooden plank. The text "SAFE STORAGE" is overlaid in the center in a bold, blue, sans-serif font.

SAFE STORAGE

WHAT IS SAFE STORAGE?

Safe storage of a firearm is securing the firearm in a locked object and keeping the firearm separate from the ammunition. It is also restricting access from unauthorized persons at all times - 24-hours a day, seven-days a week.

It is ***more than*** keeping the firearm inside your house or inside your vehicle. Safe storage applies to where the firearm is all the time.

It is ***more than*** hiding your gun. It is a constant responsibility and could be the difference between life and death.



**ACCESSIBILITY
vs.
SAFEKEEPING**

ACCESSIBILITY vs. SAFEKEEPING

Many firearm owners struggle with how to maintain quick access to their firearm, while restricting access to others around them.

Home and vehicle access from a firearm should be restricted from family, friends, children* and or their friends*, contractors, repair personnel or uninvited persons.

** Texas Penal Code 46.13. Making a firearm accessible to a child is a Class C misdemeanor and can be enhanced to a Class A, if the child discharges the firearm and causes death or serious bodily injury to himself or another person. See Pages 20-26.*

OWNER RESPONSIBILITY

As the owner of a firearm, it is your responsibility to secure your firearm away from the following persons:

- Children*
- Visitors
- Friends
- Relatives
- Contractors
- Persons we expect, and those we don't
- EVERYONE, but you

** Texas Penal Code 46.13. Making a firearm accessible to a child is a Class C misdemeanor and can be enhanced to a Class A, if the child discharges the firearm and causes death or serious bodily injury to himself or another person. See Pages 20-26.*

A grayscale photograph of a bedroom. On the left is a white nightstand with a black electronic device (possibly a VCR or DVR) and a lamp with a glass base. To the right is a bed with a patterned quilt and pillows. Underneath the nightstand, a small compartment is open, revealing a handgun. The text "SECURING FIREARMS" is overlaid in the center in a bold, blue, sans-serif font.

SECURING FIREARMS

STORAGE DEVICES

The storage device you choose must provide a level of protection adequate to prevent unauthorized persons from accessing your firearm. The determination of what is “adequate protection” is a matter of judgment on the part of the firearm owner. The safe storage option you choose depends on what firearms you own, your living situation and how much you choose to invest.

Storage device options include trigger locks, biometric locks, gun cases, strong boxes, gun cabinets and gun safes. The following pages describe each option.

TRIGGER LOCK

A trigger lock clamps down around the trigger or trigger housing to prevent the trigger from being manipulated.



Cable Lock



Code Lock



Key Lock

BIOMETRIC LOCK

A trigger lock that uses fingerprint technology. Developed by Air Force veterans, the Biometric Lock is customized to your firearm. Most versions allow access to the firearm in less than three seconds.



GUN CASE



A gun case is a portable firearm storage case that is made of plastic. Some can be quickly defeated by ordinary edged tools. Unless secured by some other lockable structure, gun cases can be easily transported.

STRONG BOX



A strong box is also portable, yet more durable than gun cases for storing and securing firearms. The device can store a single firearm or multiple firearms. Strong boxes are accessible with key, code or fingerprint technology. Most are designed to mount to vertical surfaces such as interior of desk, side of furniture or closet.

GUN CABINET



Made of varying materials and size, a gun cabinet may have thin gauge steel inside and made in a variety of sizes. Multiple firearms can be stored inside. This option is optimal for smaller dwellings, apartments and upper floors.

GUN SAFE / VAULT



A gun safe / vault is the most secure option, being a protective storage container for firearms and ammunition. Because of its weight, the gun safe/vault is recommended to bolt to the wall or floor to prevent it from falling over. Steel thickness ensures a fire rating, and can be opened by key or fingerprint technology.

A grayscale photograph showing a hand holding a handgun. The hand is positioned near the face of a child, who is looking towards the camera. The handgun is held in a way that it is pointed towards the child's face. The background is a plain, light-colored wall.

TEXAS FIREARMS LAWS
making a firearm
accessible to a child

TEXAS PENAL CODE 46.01(3)

- **“Firearm”**
 - Any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use.
 - Firearm does not include a firearm that may have, as an integral part, a folding knife blade or other characteristics of weapons made illegal by Texas Penal Code, Chapter 46, and that is:
 - An antique or curio firearm manufactured before 1899; or
 - A replica of an antique or curio firearm manufactured before 1899, but only if the replica does not use rim fire or center fire ammunition.

TEXAS PENAL CODE 46.13(a)

- **“Child”**
 - Person younger than 17 years of age
- **“Readily dischargeable firearm”**
 - Firearm that is loaded with ammunition, whether or not a round is in the chamber
- **“Secure”**
 - To take steps that a reasonable person would take to prevent the access to a readily dischargeable firearm by a child, including but not limited to placing a firearm in a locked container or temporarily rendering the firearm inoperable by a trigger lock or other means.

TEXAS PENAL CODE 46.13(b)

- A person commits an offense if a child gains access to a readily dischargeable firearm and the person with criminal negligence:
 - Failed to secure the firearm, or
 - Left the firearm in a place to which the person knew or should have known the child would gain access.

TEXAS PENAL CODE 46.13(c)

- It is an affirmative defense to prosecution if the child's access to the firearm:
 - Was supervised by a person older than 18 years of age and was for hunting, sporting, or other lawful purposes;
 - Consisted of lawful defense by the child of people or property;
 - Was gained by entering property in violation of Texas Penal Code;
 - Occurred during a time when engaged in an agricultural enterprise

TEXAS PENAL CODE 46.13(d,e)

Making a firearm accessible to a child:

- Class C misdemeanor
- Enhanced to a Class A misdemeanor if the child discharges the firearm and causes death or serious bodily injury to himself or another person.

TEXAS PENAL CODE 46.13(f)

- A person cannot be arrested before the seventh day after the date the offense was committed, if
 - He / she is related (Texas Family Code 71.003) to the child who discharged the firearm, and
 - The child caused death or serious bodily injury to him / herself

TEXAS PENAL CODE 46.13(g)

- A dealer of firearms shall post in a conspicuous position on the premises where the dealer conducts business a sign that contains the following warning in block letters not less than one inch in height:

“IT IS UNLAWFUL TO STORE, TRANSPORT, OR ABANDON AN UNSECURED FIREARM IN A PLACE WHERE CHILDREN ARE LIKELY TO BE AND CAN OBTAIN ACCESS TO THE FIREARM.”

