



Secure Firearm Storage

Executive Summary

Secure firearm storage refers to the use of a safe, gun safe, gun case, lock box, or similar device that is designed to safely secure a firearm to prevent unintentional gun-related accidents, suicide, and theft. Federal law requires firearm retailers to certify the availability of secure gun storage or safety devices. However, use of safe storage equipment is not federally required. In efforts to reduce unintentional gun-related accidents, suicide, and theft, several states have passed legislation requiring firearm owners to store their weapons unloaded, in locked containers, or disable them with trigger locks. Currently, Missouri does not have laws regarding secure firearm storage. [HB 1806](#) would enact legislation that creates the offense of endangering the welfare of a child in the case of failure to secure a firearm.

Highlights

- In 2019, 71 firearm-related child deaths occurred in Missouri with 8 deaths (or 11%) from unintentional firearm injuries.
- Suicides account for approximately 55% of all firearm deaths in Missouri – the 11th highest firearm suicide rate in the United States.
- Between 2012 and 2017, it has been estimated that approximately 51,500 guns have been stolen in Missouri, with 1,180 firearms stolen directly from firearms retailers.
- Research indicates that states with the lowest rates of unintentional injury and death (CT & MA) have both negligence-specific firearm access and storage laws

Limitations

- Due to a lack of federal and state requirements for individuals to report firearm theft, the true number of firearm thefts in Missouri is unknown.
- Secure firearm storage is the responsibility of the firearm's owner and it is unclear how these laws are enforced unless an incident occurs.
- There are currently no incentives to encourage the sale and use of secure firearm storage. Therefore, it is unsure how incentives may affect the overall use and attitudes towards utilizing appropriate firearm storage.

Research Background

Secure Storage of Firearms

As defined by federal statute and regulation, secure firearm storage “includes a safe, gun safe, gun case, lock box or other device that is designed to be or can be used to store a firearm and that is designed to be unlocked only by means of a key, a combination, or other similar means”.¹ It is required by federal law that gun retailers certify the availability secure gun storage or safety

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devices. However, federal law does not require buyers to use these safety mechanisms.² Therefore, state-level safe storage laws are intended to protect the public from preventable gun-related accidents, suicide, and theft by preventing unauthorized users from gaining access to guns left unsecured.³

Unintended Firearm Injury and Death

Firearms are one of the leading causes of death for children under 18 years of age in the United States.⁴ In 2019, 71 firearm-related child deaths occurred in Missouri with 8 deaths (11%) from unintentional firearm injuries.⁵ Unintended firearm injury and deaths occur when an individual, typically a child, finds an unsecured firearm and unintentionally discharges the firearm at themselves or another person.⁶ Most of these incidences involve circumstances where an individual was playing with a firearm or believing the firearm was unloaded.⁷ Research indicates that states with the lowest rates of unintentional injury and death (CT and MA) have both negligence-specific firearm access and storage laws.^{8,9}

Suicides by Firearm

Suicide is a significant factor driving gun deaths in the United States.^{10,11} Suicides accounted for approximately 55% of all firearm deaths in Missouri – the 11th highest firearm suicide rate in the United States (10.7 per 100,000 deaths).¹¹ Legislation that limits access and exposure to handguns (including waiting periods, background checks, open carry restrictions, and storage) has been associated with lower suicide rates and lower suicide rates by firearms. Specifically, states without firearm storage requirements had 25% more suicide deaths by firearms compared to states with safe storage requirements.¹² This is not solely because of safe storage legislation, but legislation may play a role in behavior change by decreasing, restricting, or prolonging access to firearms through waiting periods and background checks.¹²

Firearm Theft

Stolen firearms create challenges for law enforcement officers working to solve gun-related crimes, as these stolen firearms become untraceable. Missouri gun theft has substantially increased since 2007. Between 2012 and 2017, it has been estimated that approximately 51,500 guns have been stolen in Missouri with 1,180 firearms stolen directly from firearms dealers.¹³ The majority of firearm thefts occur in residential burglaries both at home and from vehicles.^{3,14} Research suggests that owning numerous firearms, owning firearms for protection, carrying firearms, and storing firearms unsafely increase the risk of having firearms stolen.¹⁰ It is suggested that secure firearm storage and changes to storage practices via legislation can reduce the number of guns stolen.¹⁵

Federal law does not require individual gun owners to report the loss or theft of a firearm to law enforcement. However, it does require firearm dealers to report loss or theft from their inventory within 48 hours of the discovery. Fifteen states (CA, CO, CT, DE, HI, IL, MD, MA, MI, NJ, NY, OH, OR, RI, VA) and Washington, D.C. have mandatory firearm loss and theft reporting laws.¹⁶ These laws vary between states in regards to liability and timely reporting

requirements.¹⁶ It is indicated that legislation implementing mandatory reporting of firearm theft would greatly reduce firearm-related injury and mortality.¹⁷

State Legislation: Firearm Storage and Access

State laws pertaining to firearm storage and access fall under two categories: (1) child access prevention firearm laws and (2) safe storage or gun lock requirements.¹⁸ Twenty-three states and Washington, D.C. have some form of secure firearm storage law that holds firearm owners accountable when children can or do access an unsecured gun.^{19,20} While safe storage laws vary by state, they generally refer to regulations requiring gun owners to store their weapons unloaded, in locked containers, or disable them with trigger locks. It is the firearm owner's responsibility to adhere to these laws. Furthermore, California, Connecticut, and Massachusetts require locking devices to meet state standards or be approved by a state agency for effectiveness.¹⁸ [IL](#), [FL](#), [NY](#), and [NC](#) have filed bills in their 2021-2022 legislative sessions related to enacting or strengthening current firearm storage laws. Seventeen states have no child-access or secure firearm storage related laws.

Missouri Legislation

Along with 9 other states, Missouri has enacted a child access prevention law to prevent children from accessing firearms by criminally punishing an individual who intentionally or recklessly gives a child a firearm. Missouri does not have safe storage laws. Filed in the 2022 Legislative Session, [HB 1806](#) modifies RSMo [568.045](#) to specify that a person commits the offense of endangering the welfare of a child if he or she fails to secure a firearm.

Federal Legislation

Congress has introduced [HB 130](#) which includes requirements for the storage of firearms and ammunition. The firearms and ammunition must be safely stored in one of two ways: (1) secured, unloaded, and separated in a safe and locked with a lock approved by the Department of Justice; or (2) off the premises at a storage facility or gun range certified by the Department of Justice. An individual who violates the safe storage requirements is subject to criminal or civil penalties which is dependent upon whether the violation includes discharge of the firearm. All reported violations will be reviewed by the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives.

Additionally, there have been proposals to offer a tax incentive to promote secure firearm storage. H.R. [4926](#) permits a new business-related tax credit for 10% of the safe firearm storage device amount with a maximum credit of \$40 per device and may not exceed \$400 total.

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