

**Firearm Storage Requirements**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Andrew Stoddard**

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**LONG TITLE****General Description:**

This bill addresses the storage of firearms.

**Highlighted Provisions:**

This bill:

- defines terms; and
- sets a criminal penalty in certain circumstances when an individual fails to lawfully store the individual's firearms and the firearm is then accessed by a minor in an unlawful manner.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**76-10-509.10**, Utah Code Annotated 1953

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **76-10-509.10** is enacted to read:

**76-10-509.10 . Failure to secure a firearm resulting in a minor gaining access.**

(1)(a) As used in this section:

(i) "Locked container" means a box, case, chest, locker, safe, or similar receptacle that is secured in such a manner so as to prevent an individual from accessing the contents of the container.

(ii) "Minor" means an individual under 16 years old.

(b) Terms defined in Sections 76-1-101.5 and 76-10-501 apply to this section.

(2) An actor commits failure to secure a firearm resulting in a minor gaining access if:

(a) the actor is 18 years old or older;

(b) the actor stores or leaves a loaded firearm at the actor's residence;

- 32 (c) the actor knows or reasonably should know that a minor is likely to obtain possession  
33 of the loaded firearm and the minor's possession would be in violation of Section  
34 76-10-509.4, possession of a dangerous weapon by a minor;
- 35 (d) the actor does not:
- 36 (i) keep the loaded firearm in a locked container or in another location that a  
37 reasonable person would believe is secure; or
- 38 (ii) secure the loaded firearm with a trigger lock or other device intended to prevent  
39 the use of the firearm;
- 40 (e) a minor obtains possession of the loaded firearm and the minor's possession of the  
41 firearm is a violation of Section 76-10-509.4, possession of a dangerous weapon by a  
42 minor; and
- 43 (f) the minor described in Subsection (2)(e):
- 44 (i) possesses, exhibits, or uses the firearm in a public place; or
- 45 (ii) draws, exhibits, or unlawfully uses the firearm in violation of Section 76-10-506,  
46 threatening with or using dangerous weapon in fight or quarrel.
- 47 (3) A violation of Subsection (2) is class C misdemeanor.
- 48 (4) An actor has an affirmative defense to a prosecution under this section if the actor took  
49 reasonable precautions to ensure that the firearm was properly secured and not  
50 accessible to a minor in violation of Section 76-10-509.4, possession of a dangerous  
51 weapon by a minor.
- 52 (5) This section does not apply if:
- 53 (a) a minor obtains a firearm as the result of an unlawful entry to the location where the  
54 firearm was located;
- 55 (b) a firearm is accessed in violation of Subsection (2) but is used in a lawful act of  
56 self-defense; or
- 57 (c) the actor described in Subsection (2) reports to a law enforcement officer that a  
58 minor has obtained the actor's firearm.

59 **Section 2. Effective date.**

60 This bill takes effect on May 7, 2025.