
SENATE BILL 5129

State of Washington

55th Legislature

1997 Regular Session

By Senators McAuliffe, Fairley, Prentice, Fraser, Kohl, Thibaudeau, Pelz, Wojahn, Sheldon, Spanel, Goings and Patterson

Read first time 01/16/97. Referred to Committee on Law & Justice.

1 AN ACT Relating to access to firearms by minors; adding a new
2 section to chapter 9.41 RCW; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 9.41 RCW
5 to read as follows:

6 (1) Except as provided in this section, a person shall not store or
7 keep a loaded firearm on premises under his or her control if he or she
8 knows or reasonably should know that a minor is likely to gain access
9 to the firearm without: (a) The lawful permission of the minor's
10 parent or the person having charge of the minor; or (b) the supervision
11 required by law.

12 (2) This section does not apply if:

13 (a) The firearm was stored or left in a securely locked box or
14 container;

15 (b) The firearm is kept in a location that a reasonable person
16 would have believed to be secure;

17 (c) The firearm is secured with a trigger lock; or

18 (d) The minor obtains the firearm as a result of an unlawful entry
19 by any person.

1 (3)(a) It is a misdemeanor if a person violates subsection (1) of
2 this section and, as a result thereof, a minor gains access to a
3 firearm and possesses or exhibits it, without the supervision required
4 by law:

5 (i) In a public place; or

6 (ii) In a reckless or criminally negligent manner.

7 (b) It is a class C felony if a person violates subsection (1) of
8 this section and, as a result thereof, a minor gains access to a
9 firearm and uses it to inflict injury or death upon himself or herself,
10 or any other person.

11 (4) As used in this section, "minor" means a person under the age
12 of sixteen.

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