Attachment 1

What is the secure storage law in Michigan?

Michigan's secure storage law went into effect Feb. 13, 2024 to help protect Michigan's youth and reduce firearm injuries. The law requires firearm owners to securely store firearms whenever minors are present or likely to be present. It also requires schools to share this information with all parents and guardians, which is intended to help parents, guardians and firearm owners understand and comply with Michigan's secure storage law.

Summary of the Law *(MCL 28.429)*

Secure Storage Requirements

If a firearm is unattended where a minor (under 18) is or is likely to be present, it must be:

- Secured in a locked box or container, and/or
- Unloaded and secured with a locking device, like a trigger or cable lock, that would prevent anyone from using it.

This law applies whether firearms are in your own home or brought to another location.

Firearms in Vehicles

While traveling with a firearm in a vehicle, the vehicle must be locked when not in use, and the firearm must be secured and either locked in a container or unloaded and disabled with a trigger or cable lock if a child is present or likely to be present in the vehicle or destination.

Importance and Benefits of Secure Storage to Help Keep Children Safe

Legal ownership of firearms is a Constitutional right. This comes with important safety responsibilities to prevent thefts, firearm homicide, firearm suicide, and unintentional firearm injuries, including among children. **Simply hiding unlocked firearms or keeping them on a shelf out of reach does not guarantee or equal secure storage under Michigan law.** Secure storage reduces the risk of unintentional injuries among children and theft of guns. When access to guns is reduced, the overall suicide rate drops.



Unintentional firearm injuries among children 17 years and younger happen most often:

- With guns that are loaded and unlocked.
- When a child is playing with a gun or showing it to someone else.



In these situations, the most common victim of an unintentional firearm injury is a friend or a sibling of the child.



Closets and nightstands are common locations of guns used in these fatal unintended shootings.

Source: U.S. Centers for Disease Control and Prevention

For more information and a full list of other resources, including Project ChildSafe, visit the MDHHS firearm secure storage page at **MDHHS Secure Storage**.

- Project ChildSafe
- National Suicide Prevention Lifeline (Call or text 988)
- University of Michigan Family Guide to Firearm Home Safety

Or scan the **QR code** below:

Frequently Asked Questions (FAQs)

Michigan's secure storage law went into effect Feb. 13, 2024 to help protect Michigan's youth and reduce firearm injuries. The law requires firearm owners to securely store firearms whenever minors are present or likely to be present. It also requires schools to share this information with all parents and guardians, which is intended to help parents, guardians and firearm owners understand and comply with Michigan's secure storage law.

Q: Does the safe storage law apply to all firearms or only certain types?

A: This law applies to all firearms, including handguns, rifles and shotguns. If the firearm is not under immediate control of the possessor, on a premises where a minor is likely to be present, it must be securely stored to prevent access by minors.

Q: Does this law apply to both loaded and unloaded firearms?

A: Yes. Both loaded and unloaded firearms must be properly secured to prevent unauthorized access by minors. Even unloaded firearms can pose threats to minors if not securely stored.

Q: Do I need to use a specific type of lock or safe to comply?

A: Yes. A "locked box or container" means a secure container, specifically designed for the storage of firearms, that is fully enclosed and locked by a padlock, key lock, combination lock or similar locking device to which a minor does not possess the key or combination, or otherwise have access. "Locking device" means a trigger lock, cable lock, or similar lock that prevents a firearm from discharging. If a locking device is used, the firearm must be unloaded.

Q: What should I do if I suspect another child might have access to a firearm that isn't being securely stored, in violation of the law?

A: Contact your local law enforcement agency. Students can report potential violations in a school setting to Michigan's OK2SAY program at **OK2SAY@mi.gov**, text 652729 (OK2SAY), or call 855-565-2729 (8-555-OK2SAY). **Call 9-1-1 in any emergency.**

Q: Where can I get a lock box, container or a locking device?

A: Some police departments, local health departments or other community organizations may provide free or low-cost firearm locks or storage devices. Firearm safety kits which contain a locking device and an informational brochure are available through **Project ChildSafe**. Check with your local law enforcement agency for more information.

Q: Are there exceptions to the law?

A: The law does not apply if the minor obtains a firearm:

- With the permission of the minor's parent or guardian and if the minor uses the firearm under the supervision of the parent, guardian, or individual who is 18 or older and is authorized by the minor's parent or guardian, **and** the firearm is possessed or used for:
  - The minor's employment.
  - Ranching, farming, or hunting and the minor is compliant with all applicable hunting laws.
  - Target practice or instruction of safe use of a firearm.
- Through unlawful entry of any premises or motor vehicle where the firearm has been stored.
- While lawfully acting in self-defense or in defense of another individual.

Q: As a non-gun owner, how can I make sure that children and teenagers stay safe when they visit homes with firearms?

A: Even if you don't own a firearm, you can take proactive steps to ensure the safety of youth by teaching children about the danger of touching firearms, ask hosts if firearms are present, verify if they are securely stored and share safety resources. For additional resources, please visit: **Gun Safety Resources | Be SMART**.

MDHHS-Pub-2210 The Michigan Department of Health and Human Services (MDHHS) does not discriminate against any individual or group on the basis of race, national origin, color, sex, disability, religion, age, height, weight, familial status, partisan considerations, or genetic information. Sex-based discrimination includes, but is not limited to, discrimination based on sexual orientation, gender identity, gender expression, sex characteristics, and pregnancy.

Attachment 2

Safe Storage Notice for House Bills 5450 & 5451
Effective Date: Feb. 13, 2024

To help protect Michigan's youth and prevent firearm-related unintentional injuries, Michigan Compiled Laws (MCL) 28.429, Section 9 of 1927 PA 372 requires firearm owners to securely store firearms wherever minors are present or likely to be present. This notice is designed to assist parents, guardians and gun owners to comply with the new secure storage requirements.

Below you'll find a summary of Section 9, Subsections (1) and (2) of MCL 28.429, answers to frequently asked questions, secure storage resources, and information on how to obtain free or low-cost firearm locks and storage.

Safe Storage Requirements

If a firearm is left unattended where a minor (under 18) is or is likely to be present, it must be:

- Secured in a locked box or container, and/or
- Unloaded and secured with a locking device (like a trigger or cable lock) that would prevent anyone from using it.

This law applies whether firearms are in your own home or brought to another location.

Firearms in Vehicles

If a firearm is in a vehicle, the vehicle must be locked when not in use, and the firearm must be secured and either locked in a container or disabled with a trigger or cable lock.

Penalties for Noncompliance

If a minor gains unlawful access to a firearm this can result in criminal charges and penalties up to 15 years in prison.

For a detailed description of the law, visit: MCL - Section 28.429 - Michigan Legislature or MDHHS Firearm Prevention Resource Library.

Frequently Asked Questions (FAQs)

Q: Does the safe storage law apply to all firearms or only certain types?

A**:** This law applies to all firearms, including handguns, rifles and shotguns. If the firearm is not under immediate control of the possessor, on premises where a minor is likely to be present, it must be securely stored to prevent access by minors.

Q: Does this law apply to both loaded and unloaded firearms?

A: Yes. Both loaded and unloaded firearms must be properly secured to prevent unauthorized access by minors. All firearms should be treated as if they are loaded. Even unloaded firearms can pose a threat to minors if not securely stored.

Q: Do I need to use a specific type of lock or safe to comply?

A: Yes. A “locked box or container" means a secure container, specifically designed for the storage of firearms, that is fully enclosed and locked by a padlock, key lock, combination lock, or similar locking device to which a minor does not possess the key or combination or otherwise have access. "Locking device" means a trigger lock, cable lock or similar lock that prevents a firearm from discharging. If a locking device is used, the firearm must be unloaded and rendered inoperable.

Q: What should I do if I suspect another child might have access to a firearm that isn’t being securely stored, and therefore in violation of the law?

A: Contact your local law enforcement agency. Students can also report potential violations on school property to Michigan’s OK2SAY program at OK2SAY@mi.gov, text 652729 (OK2SAY), or call 855-565-2729 (8-555-OK2SAY). Call 9-1-1 for any emergency.

Q: Where can I get a lock box/container or a locking device?

A: Firearm safety kits provided by Project Childsafe are free. These kits contain a cable lock and an informational brochure. Some local police departments, local health departments or other community organizations may provide free or low-cost firearm locks or storage devices. Check with your local law enforcement agency for more information. Please refer to the “free and reduced cost firearm locking devices” section of this notice for more information on where to find these items in your community.

Q: As a non-gun owner, how can I make sure that children and teenagers stay safe when they visit homes with firearms?

A: Even people who don’t own firearms can take proactive steps to ensure the safety of youth by teaching children about the danger of touching firearms, asking hosts if firearms are present, verifying if they are securely stored, and sharing safety resources. Additional resources are available at Be SMART.

Q: Where does this law apply?

A: The law states “premises” - whether it is the property of the person possessing the firearm, someone else’s property, or anywhere children may be present. If the firearm is left unattended by the possessor, including in a vehicle, it must be securely stored to prevent access by minors. These requirements apply across all of Michigan.

Q: Are there exceptions to the law?

A: This law does not apply if the minor obtains the firearm:

- With the permission of the minor's parent or guardian and if the minor uses the firearm under the supervision of the parent, guardian, or individual who is age 18 or older who is authorized by the person's parent or guardian, and:
- The firearm is possessed or used for minor's employment.
- The firearm is possessed or used for ranching, farming or hunting, if the minor is following all applicable hunting laws.
- The firearm is possessed or used for target practice or instruction of safe use of a firearm.

Penalties may not apply when:

- A minor obtains a firearm through the minor's unlawful entry of any premises or motor vehicle where the firearm has been stored.
- A minor obtains a firearm while lawfully acting in self-defense or defense of another.

Q: Where can I find additional information on firearm safety and safe storage?

A: Additional information includes:

- Michigan Department of Health and Human Services (MDHHS) Firearm Injury Prevention Resource Library.
- University of Michigan Institute for Firearm Safety Safe Firearm Storage Toolkit.
- Back-to-School Resources from the University of Michigan Institute for Firearm Safety
- Firearm toolkits from Prevent Child Injury (by age group).

Free or Low-Cost Firearm Locking Devices

If you're looking for free or reduced cost firearm locking devices, there are several resources available to support you.

- **Project ChildSafe** is a national program that partners with law enforcement and other agencies to distribute free firearm safety kits, which include cable locks. You can use their online "find a safety kit" tool to locate a participating agency in your area.

- **Be Smart** is a community program that focuses on promoting responsible gun ownership and secure firearm storage to reduce accidental shootings and deaths among children.

- **Local health departments** may also offer locks or safes at no cost or at a discount as part of a firearm injury prevention initiative. Contact your local health department to find out if they distribute free firearm locks.

- **Local police departments** often provide free firearm locks. Call or visit their websites to ask about the availability of safe storage devices.

- **Firearm retailers or shooting ranges** may occasionally participate in lock distribution programs or offer discounts on safe storage materials. Call or visit their websites to check on the availability of resources.

- **Local suicide prevention coalitions or non-profit organizations** may also offer locks or safes as part of community safety programs. Call or visit their websites to check for availability.

MDHHS-Pub-2211 (6-25) The Michigan Department of Health and Human Services (MDHHS) does not discriminate against any individual or group on the basis of race, national origin, color, sex, disability, religion, age, height, weight, familial status, partisan considerations, or genetic information. Sex-based discrimination includes, but is not limited to, discrimination based on sexual orientation, gender identity, gender expression, sex characteristics, and pregnancy.