*** § 265.51 Failure to safely store rifles, shotguns, and firearms when accessible by a minor or prohibited person.**

1. For the purposes of this section, the following terms shall have the following meanings:

(a) "prohibited person" shall mean any person who is prohibited from possessing a rifle, shotgun or firearm under state or federal law; and

(b) "minor" shall mean an individual under eighteen years of age.

2. A person is guilty of failure to safely store rifles, shotguns, and firearms accessible to a minor or a prohibited person when:

(a) such person stores or otherwise leaves any rifle, shotgun or firearm in violation of section 265.45 of this article in any location where the owner or custodian of the rifle, shotgun, or firearm knows or has reason to know that a minor or a prohibited person is likely to gain access to such rifle, shotgun or firearm; and

(b) a minor or a prohibited person gains access to such rifle, shotgun or firearm.

3. It shall not be a violation of this section:

(a) if the minor or prohibited person obtained the firearm, rifle, or shotgun as a result of unlawful entry by any person; or

(b) if the minor or prohibited person obtains the firearm, rifle, or shotgun in a lawful act of self-defense or defense of another person.

4. It shall not be a violation of this section to allow a person less than eighteen years of age access to:

(a) a firearm, rifle or shotgun for lawful use as authorized under paragraph seven or seven-e of subdivision a of section 265.20 of this article; or

(b) a rifle or shotgun for lawful use as authorized by article eleven of the environmental conservation law when such person less than eighteen years of age is the holder of a hunting license or permit and such rifle or shotgun is used in accordance with such law.

Failure to safely store rifles, shotguns, and firearms when accessible by a minor or prohibited person is a class A misdemeanor.

* NB Effective January 19, 2027