

Child Access Prevention Firearm Storage Laws

Child access prevention (CAP) laws aim to reduce accidental injuries and deaths, suicides, and violent crimes among children by setting requirements on the secure storage of firearms to prevent children from gaining unauthorized access. In most states, a child is defined as under 18 years; however, some states have lower age thresholds.

Research indicates that CAP laws are associated with reductions in firearm-involved accidental injuries and deaths, suicides, and violent crimes among youth. By encouraging secure storage practices, CAP laws may also help reduce firearm thefts.^{1, 2, 3, 4}

35 states and the District of Columbia have CAP laws.* The circumstances under which a person can be held liable for violating a CAP law vary by state; however, there are two primary categories of CAP laws:

Negligent Storage

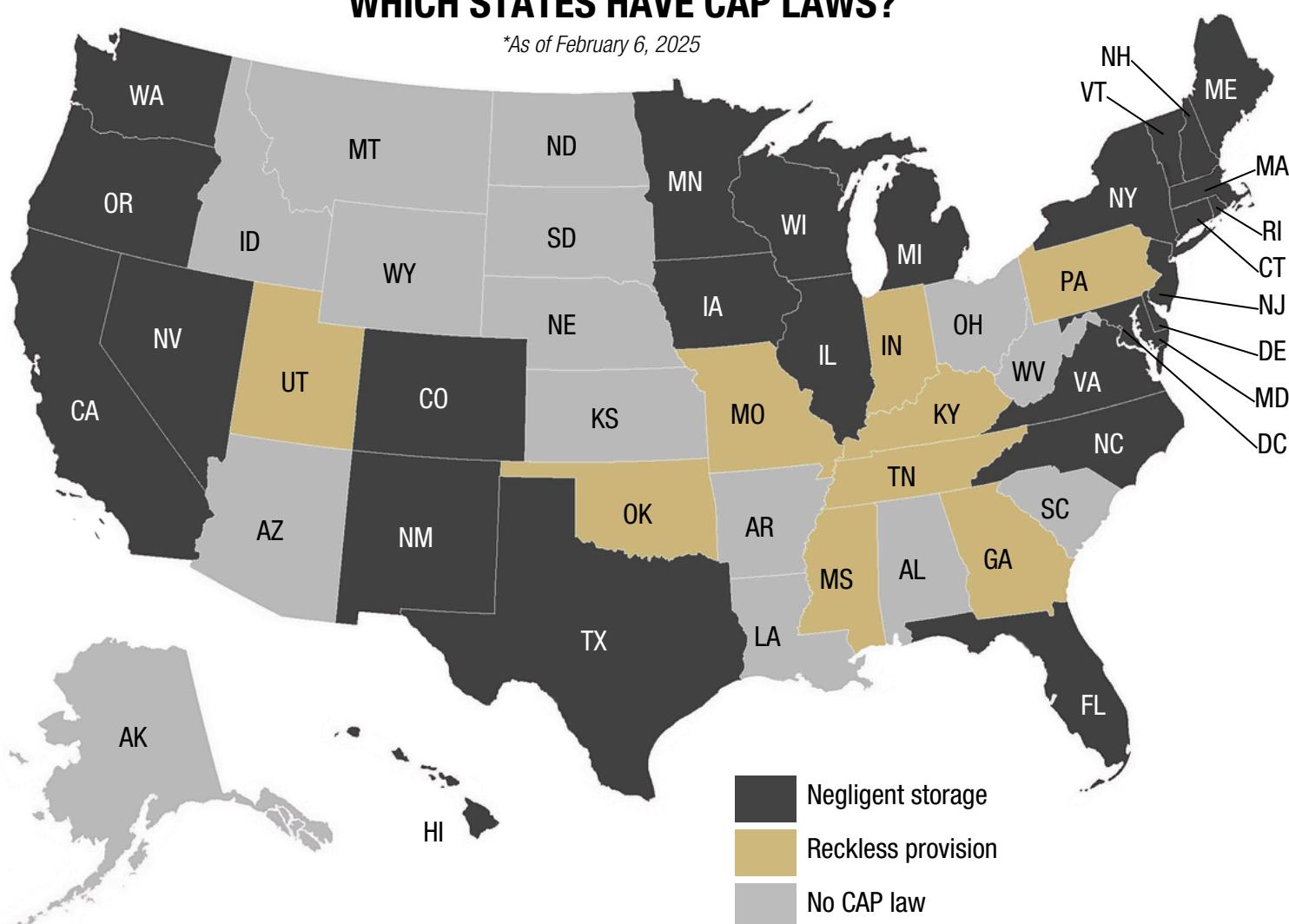
Laws that impose penalties for cases in which people **should** have been aware that children **could** gain access to a firearm. These laws vary as to whether grounds for liability requires that children have actually accessed firearms, used firearms in public, and/or caused death or serious injury. 27 states and D.C. have these laws.*

Reckless Provision

Laws that impose penalties for cases in which people **intentionally, knowingly, or recklessly provide** children with firearms. Nine states have these laws, which are considered less strict than “negligent storage” laws.*

WHICH STATES HAVE CAP LAWS?

*As of February 6, 2025



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Laws by State

States with Negligent Storage Laws

California	Nevada
Colorado	New Hampshire
Connecticut	New Jersey
Delaware	New Mexico
District of Columbia	New York
Florida	North Carolina
Hawaii	Oregon
Illinois	Rhode Island
Iowa	Texas
Maine	Vermont
Maryland	Virginia
Massachusetts	Washington
Michigan	Wisconsin
Minnesota	

States with Reckless Provision Laws

Georgia	Oklahoma
Indiana	Pennsylvania
Kentucky	Tennessee
Mississippi	Utah
Missouri	

To learn more about the specifics of child access prevention laws in your state, consider visiting your state's health department or legislature websites. In addition, the research organization RAND also provides information on the specifics of CAP laws, including:

- [State Firearm Law Navigator](#)
- [“The Effects of Child-Access Prevention Laws”](#)



Firearm Injury Prevention Initiative

SCHOOL OF MEDICINE

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This document is for informational purposes only and is not intended to constitute legal advice or replace professional legal consultation. For specific legal concerns, please consult a qualified attorney.

Secure Storage Resources

Secure storage of personal firearms may look different in different homes. The resources below may be helpful in deciding what secure storage of personal firearms will look like in your household.

- [Project Child Safe](#): Offers resources for talking with children about firearm safety as well as free safety kits in select cities.
- [Lock to Live](#): A decision aid tool that can help people evaluate secure storage options for firearms and medications.
- [Firearm Life Plan](#): An easy-to-use toolkit to facilitate conversations about firearms, aging, and planning for the future together.
- [How to Apply Firearm Locking Devices](#) [Video]: A short video explaining how to use a variety of firearm locking devices with different firearms.

Service members may have unique considerations for storing firearms and should comply with base policies regarding the storage of firearms and other lethal means.

- [Lethal Means Safety Guide for Military Service Members and Their Families](#), Defense Suicide Prevention Office
- [Firearm Safety During a Permanent Change of Station](#), Defense Suicide Prevention Office

Sources

1. RAND, <https://www.rand.org/research/gun-policy/analysis/child-access-prevention.html#state-implementation-of-child-access-prevention>
2. Athey, A., Nestadt, P. S., Rogers M. L., Dunton, Z., McCourt, A. & Wilcox, H. C. (2024). A national evaluation of the impact of child access prevention laws on rates of youth suicide and other youth firearm deaths. *Journal of the American Academy of Child and Adolescent Psychiatry*. <https://doi.org/10.1016/j.jaac.2024.11.009>
3. RAND, <https://www.rand.org/research/gun-policy/law-navigator.html#child-access-prevention>
4. Bearden, J. M., Reese, K. F., Boyd, A. A., Otto, K. T., Rege, R. D., Osten, A. W., Brenner, J. M., & Perry, S. W. (2024). Child access prevention laws and pediatric firearm injury: A rapid review. *PRIMER*, 25(8), 37. <https://doi.org/10.22454/PRIMER.2024.120398>