

VERMONT SECURE STORAGE LAW

As of July 1, 2023, Vermont law requires gun owners to store firearms in a locked container or equipped with a safety device whenever a child or “prohibited person” is likely to gain access to them.

Vermont law states that, “A person who stores or keeps a firearm within any premises that are under the person’s custody or control, and who knows or reasonably should know that a child or prohibited person is likely to gain access to the firearm” may be charged with a crime. [13 V.S.A. §4024](#).

WHAT IS SECURE STORAGE OF A FIREARM?

Examples of secure storage include a sturdy container such as a safe or chest **which must be equipped with a tamper resistant lock**. A lock is not required when the firearm is on your person or within close proximity for ready use. A visual summary of secure storage methods is available at www.gunsafevt.org.

WHO IS A PROHIBITED PERSON?

A prohibited person is anyone who is not allowed to possess a firearm under state or federal law or court order. That includes persons with certain criminal convictions, persons whose conditions of release include not possessing firearms, persons subject to protection orders that prohibit them from possessing firearms, and many other categories of persons that are prohibited from having firearms under the federal law, [18 U.S.C §922\(g\)](#). These are examples, but do not cover every type of prohibited person.

If you have any questions about whether a person with likely access to your firearms is a prohibited person, you should check with a lawyer who can explain the categories that can result in someone being a prohibited person. Or you can assume that the person is prohibited and store your firearms in accordance with Vermont’s secure storage law. While it is not required that all gun owners in Vermont store their guns in this manner, it is a good idea to do so. Vermont's suicide death rate is higher than the national average. Gun theft is common in Vermont and between 2017-2021, over 6,000 guns used in crimes were traced to Vermont.

WHAT ARE THE PENALTIES FOR NEGLIGENT STORAGE?

Under 13 V.S.A. §4024, negligent firearms storage is a crime if a child or prohibited person likely has access to your firearm. A gun owner may be imprisoned for up to one year or fined up to \$1,000 or both if a child or prohibited person gains access to a firearm and uses it in the commission of a crime or displays it in a threatening manner. A violation can become a felony and come with increased penalties of up to five years in jail or \$5000 or both if death or serious bodily injury results.

There are exceptions to the criminal penalties under this law. You are not subject to criminal penalties if you store your firearm in a secure manner in a locked container or equipped with a safety device. There is also an exception if the person gains access to your gun while you are carrying it or have it in close proximity for ready retrieval, or if the child or prohibited person who uses the firearm is acting in self-defense/defense of another, or if the child or prohibited person gained access to the firearm by unlawful entry.