

REFERENCE TITLE: **carrying firearms; minors; exception; consent**

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2819

Introduced by
Representative Nguyen

AN ACT

AMENDING SECTION 13-3111, ARIZONA REVISED STATUTES; RELATING TO WEAPONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-3111, Arizona Revised Statutes, is amended to
3 read:

4 13-3111. Minors prohibited from carrying or possessing
5 firearms; exceptions; seizure and forfeiture;
6 penalties; classification

7 A. Except as provided in subsection B **OF THIS SECTION**, an
8 unemancipated person who is under eighteen years of age and who is
9 unaccompanied by a parent, grandparent or guardian, or a certified hunter
10 safety instructor or certified firearms safety instructor acting with the
11 consent of the unemancipated person's parent or guardian, shall not
12 knowingly carry or possess on his person, within his immediate control, or
13 in or on a means of transportation a firearm in any place that is open to
14 the public or on any street or highway or on any private property except
15 private property **THAT IS** owned or leased by the minor or the minor's
16 parent, grandparent or guardian **ONLY IF THE MINOR'S PARENT, GRANDPARENT OR**
17 **GUARDIAN CONSENTS TO THE MINOR'S CARRYING OR POSSESSING A FIREARM ON THAT**
18 **PRIVATE PROPERTY.**

19 B. This section does not apply to a person who is fourteen,
20 fifteen, sixteen or seventeen years of age and who is any of the
21 following:

22 1. Engaged in lawful hunting or shooting events or marksmanship
23 practice at established ranges or other areas where the discharge of a
24 firearm is not prohibited.

25 2. Engaged in lawful transportation of an unloaded firearm for the
26 purpose of lawful hunting.

27 3. Engaged in lawful transportation of an unloaded firearm between
28 the hours of 5:00 a.m. and 10:00 p.m. for the purpose of shooting events
29 or marksmanship practice at established ranges or other areas where the
30 discharge of a firearm is not prohibited.

31 4. Engaged in activities requiring the use of a firearm that are
32 related to the production of crops, livestock, poultry, livestock
33 products, poultry products, ~~or~~ or ratites or in the production or storage of
34 agricultural commodities.

35 C. If the minor is not exempt under subsection B **OF THIS SECTION**
36 and is in possession of a firearm, a peace officer shall seize the firearm
37 at the time the violation occurs.

38 D. In addition to any other penalty provided by law, a person who
39 violates subsection A **OF THIS SECTION** shall be subject to the following
40 penalties:

41 1. If adjudicated a delinquent juvenile for an offense involving an
42 unloaded firearm, a fine of not more than two hundred fifty dollars, and
43 the court may order the suspension or revocation of the person's driver
44 license until the person reaches eighteen years of age. If the person
45 does not have a driver license at the time of the adjudication, the court

1 may direct that the department of transportation not issue a driver
2 license to the person until the person reaches eighteen years of age.

3 2. If adjudicated a delinquent juvenile for an offense involving a
4 loaded firearm, a fine of not more than five hundred dollars, and the
5 court may order the suspension or revocation of the person's driver
6 license until the person reaches eighteen years of age. If the person
7 does not have a driver license at the time of the adjudication, the court
8 may direct that the department of transportation not issue a driver
9 license to the person until the person reaches eighteen years of age.

10 3. If adjudicated a delinquent juvenile for an offense involving a
11 loaded or unloaded firearm, if the person possessed the firearm while the
12 person was the driver or an occupant of a motor vehicle, a fine of not
13 more than five hundred dollars and the court shall order the suspension or
14 revocation of the person's driver license until the person reaches
15 eighteen years of age. If the person does not have a driver license at
16 the time of adjudication, the court shall direct that the department of
17 transportation not issue a driver license to the person until the person
18 reaches eighteen years of age. If the court finds that no other means of
19 transportation is available, the driving privileges of the child may be
20 restricted to travel between the child's home, school and place of
21 employment during specified periods of time according to the child's
22 school and employment schedule.

23 E. Firearms seized pursuant to subsection C OF THIS SECTION shall
24 be held by the law enforcement agency responsible for the seizure until
25 the charges have been adjudicated or disposed of otherwise or the person
26 is convicted. ~~Upon~~ ON A PERSON'S adjudication FOR or conviction of a
27 ~~person for a~~ violation of this section, the court shall order the firearm
28 forfeited. However, the law enforcement agency shall return the firearm
29 to the lawful owner if the identity of that person is known.

30 F. If the court finds that the parent or guardian of a minor found
31 responsible for violating this section knew or reasonably should have
32 known of the minor's unlawful conduct and made no effort to prohibit it,
33 the parent or guardian is jointly and severally responsible for any fine
34 imposed pursuant to this section or for any civil actual damages resulting
35 from the unlawful use of the firearm by the minor.

36 G. This section is supplemental to any other law imposing a
37 criminal penalty for the use or exhibition of a deadly weapon. A minor
38 who violates this section may be prosecuted and adjudicated delinquent for
39 any other criminal conduct involving the use or exhibition of the deadly
40 weapon.

41 H. A person who violates subsection A OF THIS SECTION is guilty of
42 a class ~~6~~ 5 felony.