



SPONSOR: Rep. Gorman & Rep. Bush & Rep. Griffith & Rep. Romer
& Sen. Lockman
Reps. Burns, Snyder-Hall, Heffernan; Sen. Sokola

HOUSE OF REPRESENTATIVES
153rd GENERAL ASSEMBLY

HOUSE SUBSTITUTE NO. 1
FOR
HOUSE BILL NO. 154

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO GUN SAFETY EQUIPMENT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend Chapter 68, Title 16 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 Subchapter VIII. Immunity for Distribution of Secure Gun Storage or Safety Devices

4 § 6860. Definition.

5 For purposes of this subchapter, "secure gun storage or safety device" means as defined by 18 U.S.C. § 921(a)(34).

6 A "secure gun storage or safety device" includes cable locks, trigger locks, or gun safes.

7 § 6861. Distribution of secure gun storage or safety devices.

8 (a) A tax-exempt nonprofit organization or a law enforcement agency that distributes a new secure gun storage or
9 safety device free of charge to an individual is not liable for civil damages arising out of any injury to person or property
10 proximately caused by an alleged defect in the design, manufacturing, maintenance, or operation of the secure gun storage
11 or safety device.

12 (b) Subsection (a) of this section only applies where the tax-exempt nonprofit organization or the law enforcement
13 agency does all of the following:

14 (1) Distributes the secure gun storage or safety device in its original packaging and unopened.

15 (2) Provides to the recipient of the secure gun storage or safety device an information pamphlet about gun
16 safety developed by a local or national gun safety organization or hospital.

17 (c) Nothing in this section is intended to limit any liability on the part of a manufacturer, distributor, or retailer of
18 the secure gun storage or safety device.

SYNOPSIS

This Act provides immunity to nonprofit organizations who distribute new secure gun storage and safety devices to individuals so long as the devices are distributed in their original packaging and are unopened. The nonprofit must provide gun safety pamphlets with the distribution of gun storage and safety devices. This Act does not limit any liability on the part of the manufacturer, distributor, or retailer of the secure gun storage or safety device.

HS 1 to HB 154 clarifies that this Act applies to tax-exempt nonprofit organizations and law enforcement agencies. It also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.