

OCFP Office of Rules and Procedures	Department of Children and Family Services	
	Index No: 99-15	Issuance Date: April 26, 1999
	Origin of Request: Central Office of Licensing	
	Distribution: Licensing Staff, Administrative Staff, Office of Child and Family Policy (A,L,P)	
	Key Words: 89 IAC, Licensing Standards for Day Care Homes, Storage of Firearms and Firearm Ammunition Day Care Homes	
	Approved by:	

Interpretation

Applicable To: Licensed Day Care Homes

Policy Citation: The Child Care Act of 1969, 10/7(14):

Provisions requiring that any firearms permitted on day care home premises, except handguns in the possession of peace officers, shall be kept in a disassembled state, without ammunition, in locked storage, inaccessible to children and that ammunition permitted on day care home premises shall be kept in locked storage separate from that of disassembled firearms, inaccessible to children; [225 ILCS 10/7(14)]

406.8(a)(14): Any firearm, other than a handgun in the possession of a peace officer or other person as provided above, shall be kept in a disassembled state, without ammunition, in locked storage in a closet, cabinet, or other locked storage facility inaccessible to children. Ammunition for such firearm(s) shall be kept in locked storage separate from that of the disassembled firearm(s), inaccessible to children.

Question: Alternative safety measures have been developed to store firearms and firearm ammunition that do not require the disassembling of the gun. Can a licensed day care home be approved if the firearms within the day care home are not disassembled, but stored in a locked gun safe or with a trigger lock, separate from the ammunition?

Discussion: A day care home is requesting approval for a gun safe to be an acceptable form of storage of guns in a licensed day care home. The safe has an alarm, two keys and two combinations that are required prior to gaining access to the guns. The safe prevents any discharge of the guns with a steel bar that locks through the triggers of the guns

OCFP	Index No: 99-15	Issuance Date: 04/26/99
	Key Words: 89 IAC, Licensing Standards for Day Care Homes, Storage of Firearms and Firearm Ammunition in Day Care Homes	

and prevents pulling the trigger. The day care home licensing representative indicated that the gun safe presents a safe alternative to disassembling the guns. Concern has been expressed by the licensing staff that guns are only disassembled during the time the representative is visiting the home. Therefore, trigger locks and gun safes as described above present safer alternatives to disassembling a gun.

The Child Care Act of 1969 requires that firearms permitted on day care home premises must be kept in a disassembled state. The Licensing Standards for Day Care Homes mirrors the Child Care Act requirement in subsection 406.8(a)(14). A disassembled gun is much easier for licensing staff to visually determine that the gun is safe. The appropriate use of a trigger lock and the safeness of gun safes may not always be visibly determined. Disassembling a gun and storing it in a locked area away from the ammunition presents a way of storing a firearm so that the safety of the gun can be visually determined without close examination of the gun to assure proper installation of trigger locks or examining a gun safe.

Response: **Licensed Day Care Homes shall store firearms and firearm ammunition according to the requirements of the Child Care Act of 1969 [225 ILCS 10/7] and subsection 406.8(14) of the 89 IAC 406, Licensing Standards for Day Care Homes.**