

## AMENDMENTS TO HOUSE BILL NO. 1243

Sponsor: REPRESENTATIVE M. K.

KELLER

Printer's No. 3194

1 Amend Bill, page 1, line 4, by striking out "and" and  
2 inserting a comma

3 Amend Bill, page 1, line 5, by inserting after "Police"  
4 and for limitation on the regulation of firearms and ammunition

5 Amend Bill, page 5, by inserting between lines 6 and 7

6 Section 2. Section 6120(b) of Title 18 is amended and the  
7 section is amended by adding subsections to read:

8 § 6120. Limitation on the regulation of firearms and  
9 ammunition.

10 \* \* \*

11 (a.2) Relief.--A person adversely affected by an ordinance,  
12 a resolution, regulation, rule, practice or any other action  
13 promulgated or enforced by a county, municipality or township  
14 prohibited under subsection (a) or 53 Pa.C.S. § 2962(g)  
15 (relating to limitation on municipal powers) may seek  
16 declaratory or injunctive relief and actual damages in an  
17 appropriate court.

18 (a.3) Reasonable expenses.--A court shall award reasonable  
19 expenses to a person adversely affected in an action under  
20 subsection (a.2) for any of the following:

21 (1) A final determination by the court is granted in  
22 favor of the person adversely affected.

23 (2) The regulation in question is rescinded, repealed or  
24 otherwise abrogated after suit has been filed under  
25 subsection (a.2) but before the final determination by the  
26 court.

27 (b) Definitions.--As used in this section, the following  
28 words and phrases shall have the meanings given to them in this  
29 subsection:

30 "Dealer." The term shall include any person engaged in the  
31 business of selling at wholesale or retail a firearm or  
32 ammunition.

33 "Firearms." This term shall have the meaning given to it in  
34 section 5515 (relating to prohibiting of paramilitary training)

1 but shall not include air rifles as that term is defined in  
2 section 6304 (relating to sale and use of air rifles).

3 "Person adversely affected." Any of the following:

4 (1) A resident of this Commonwealth who may legally  
5 possess a firearm under Federal and State law.

6 (2) A person who otherwise has standing under the laws  
7 of this Commonwealth to bring an action under subsection  
8 (a.2).

9 (3) A membership organization, in which a member is a  
10 person described under paragraphs (1) or (2).

11 "Political subdivision." The term shall include any home  
12 rule charter municipality, county, city, borough, incorporated  
13 town, township or school district.

14 "Reasonable expenses." The term includes, but is not limited  
15 to, attorney fees, expert witness fees, court costs and  
16 compensation for loss of income.

17 Amend Bill, page 5, line 7, by striking out "2" and inserting