

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 564 Session of
1999

INTRODUCED BY FORCIER, METCALFE, SEYFERT, WILT, ARMSTRONG, LEH,
McNAUGHTON, FAIRCHILD, LYNCH, McILHINNEY, STABACK, STEVENSON,
ROHRER, GEIST AND BENNINGHOFF, FEBRUARY 10, 1999

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 10, 1999

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for the purchase of
3 firearms.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 6105(c) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended by adding a paragraph to read:

8 § 6105. Persons not to possess, use, manufacture, control, sell
9 or transfer firearms.

10 * * *

11 (c) Other persons.--In addition to any person who has been
12 convicted of any offense listed under subsection (b), the
13 following persons shall be subject to the prohibition of
14 subsection (a):

15 * * *

16 (9) A person who is prohibited from possessing, using,
17 controlling, selling or transferring a firearm under the
18 statutes of the United States.

1 * * *

2 Section 2. Section 6111(b)(1.4) of Title 18, amended
3 December 3, 1998 (P.L.933, No.121), is amended and the
4 subsection is amended by adding a paragraph to read:

5 § 6111. Sale or transfer of firearms.

6 * * *

7 (b) Duty of seller.--No licensed importer, licensed
8 manufacturer or licensed dealer shall sell or deliver any
9 firearm to another person, other than a licensed importer,
10 licensed manufacturer, licensed dealer or licensed collector,
11 until the conditions of subsection (a) have been satisfied and
12 until he has:

13 * * *

14 (1.4) Following implementation of the instantaneous
15 records check by the Pennsylvania State Police on or before
16 December 31, 1998, no application/record of sale shall be
17 completed for the purchase or transfer of a firearm which
18 exceeds the barrel lengths set forth in section 6102. A
19 statement shall be submitted by the dealer to the
20 Pennsylvania State Police, postmarked via first class mail,
21 within 14 days of the sale, containing the number of firearms
22 sold which exceed the barrel and related lengths set forth in
23 section 6102, the amount of surcharge and other fees remitted
24 and a list of the unique approval numbers given pursuant to
25 paragraph (4), and the number of firearms sold for which a
26 background check was not required pursuant to paragraph (8),
27 together with a statement that the background checks have
28 been performed on the firearms contained in the statement
29 unless a background check was not required pursuant to
30 paragraph (8). The form of the statement relating to

1 performance of background checks shall be promulgated by the
2 Pennsylvania State Police.

3 * * *

4 (8) The provisions contained in paragraphs (1.1), (3),
5 (4), (5), (6) and (7) do not apply to the sale or delivery of
6 a firearm to any person who possesses a valid license to
7 carry a firearm under section 6109 (relating to licenses).

8 Section 3. Section 6111.2 of Title 18 is amended by adding a
9 subsection to read:

10 § 6111.2. Firearm sales surcharge.

11 * * *

12 (e) Exception.--The surcharge imposed by subsection (a) of
13 this section would not apply if the purchaser of the firearm
14 possessed a valid license to carry a firearm under section 6109
15 (relating to licenses).

16 Section 4. This act shall take effect in 60 days.