

AMENDMENTS TO HOUSE BILL NO. 979

Sponsor: REPRESENTATIVE FRANKEL

Printer's No. 991

1 Amend Bill, page 1, lines 1 through 6, by striking out all of
2 said lines and inserting

3 Amending Titles 18 (Crimes and Offenses) and 53 (Municipalities
4 Generally) of the Pennsylvania Consolidated Statutes, in
5 firearms and other dangerous articles, further providing for
6 limitation on the regulation of firearms and ammunition; and,
7 in general provisions, further providing for limitation on
8 municipal powers and providing for authority of county of the
9 second class.

10 Amend Bill, page 1, lines 9 through 15; pages 2 through 4,
11 lines 1 through 30; page 5, lines 1 through 13; by striking out
12 all of said lines on said pages and inserting

13 Section 1. Section 6120 of Title 18 of the Pennsylvania
14 Consolidated Statutes is amended to read:

15 § 6120. [Limitation on the] Local regulation of firearms and
16 ammunition.

17 (a) General rule.--[No] A county, municipality or township
18 may [in any manner] regulate the [lawful] ownership, possession,
19 transfer or transportation of firearms, ammunition or ammunition
20 components [when carried or transported for purposes not
21 prohibited by the laws of this Commonwealth.

22 (a.1) No right of action.--

23 (1) No political subdivision may bring or maintain an
24 action at law or in equity against any firearms or ammunition
25 manufacturer, trade association or dealer for damages,
26 abatement, injunctive relief or any other relief or remedy
27 resulting from or relating to either the lawful design or
28 manufacture of firearms or ammunition or the lawful marketing
29 or sale of firearms or ammunition to the public.

30 (2) Nothing in this subsection shall be construed to
31 prohibit a political subdivision from bringing or maintaining
32 an action against a firearms or ammunition manufacturer or
33 dealer for breach of contract or warranty as to firearms or
34 ammunition purchased by the political subdivision.] by
35 ordinance or any other action that is not otherwise

1 prohibited by Federal or State law.

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

5 ["Dealer." The term shall include any person engaged in the
6 business of selling at wholesale or retail a firearm or
7 ammunition.]

8 "Firearms." [This term shall have the meaning given to it in
9 section 5515 (relating to prohibiting of paramilitary training)
10 but shall not include air rifles as that term is defined in
11 section 6304 (relating to sale and use of air rifles).]

12 "Political subdivision." The term shall include any home
13 rule charter municipality, county, city, borough, incorporated
14 town, township or school district.] A weapon that is designed to
15 or may readily be converted to expel a projectile by the action
16 of an explosive or the frame or receiver of the weapon.

17 Section 2. Section 2962(g) of Title 53 is amended to read:
18 § 2962. Limitation on municipal powers.

19 * * *

20 [(g) Regulation of firearms.--A municipality shall not enact
21 any ordinance or take any other action dealing with the
22 regulation of the transfer, ownership, transportation or
23 possession of firearms.]

24 * * *

25 Section 3. Title 53 is amended by adding a section to read:
26 § 2985. Authority of county of the second class.

27 A county of the second class may enact an ordinance or take
28 other action dealing with the regulation of the transfer,
29 ownership, transportation or possession of firearms.

30 Section 4. Repeals are as follows:

31 (1) The General Assembly declares that the repeal under
32 paragraph (2) is necessary to effectuate the addition of 53
33 Pa.C.S. § 2985.

34 (2) Section 3107-C(k) of the act of July 28, 1953
35 (P.L.723, No.230), known as the Second Class County Code, is
36 repealed.

37 Section 5. This act shall take effect in 60 days.