

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2775 Session of 2010

INTRODUCED BY GROVE, MOUL, SAYLOR, TALLMAN, BAKER, CALTAGIRONE,
EVERETT, GINGRICH, HALUSKA, HARRIS, HESS, M. KELLER, KOTIK,
KRIEGER, LONGIETTI, METZGAR, READSHAW, REICHLEY, SIPTROTH,
S. H. SMITH, STEVENSON AND WHITE, OCTOBER 12, 2010

REFERRED TO COMMITTEE ON JUDICIARY, OCTOBER 12, 2010

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for sale or transfer
3 of firearms; and providing for completion of forms.

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

6 Section 1. Section 6111(b)(1) of Title 18 of the
7 Pennsylvania Consolidated Statutes is amended to read:
8 § 6111. Sale or transfer of firearms.

9 * * *

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

16 (1) For purposes of a firearm as defined in section 6102
17 (relating to definitions), obtained a completed

1 application/record of sale from the potential buyer or
2 transferee to be filled out in triplicate, the original copy
3 to be sent to the Pennsylvania State Police, postmarked via
4 first class mail, within 14 days of the sale, one copy to be
5 retained by the licensed importer, licensed manufacturer or
6 licensed dealer for a period of 20 years and one copy to be
7 provided to the purchaser or transferee. The form of this
8 application/record of sale shall be no more than one page in
9 length and shall be promulgated by the Pennsylvania State
10 Police and provided by the licensed importer, licensed
11 manufacturer or licensed dealer. The application/record of
12 sale shall include the name, address, birthdate, gender,
13 race, physical description and Social Security number of the
14 purchaser or transferee, the date of the application and the
15 caliber, length of barrel, make, model and manufacturer's
16 number of the firearm to be purchased or transferred. The
17 application/record of sale may contain multiple firearms to
18 be purchased or transferred. The application/record of sale
19 shall also contain the following question:

20 Are you the actual buyer of the firearm(s), as defined
21 under 18 Pa.C.S. § 6102 (relating to definitions), listed
22 on this application/record of sale? Warning: You are not
23 the actual buyer if you are acquiring the firearm(s) on
24 behalf of another person, unless you are legitimately
25 acquiring the firearm as a gift for any of the following
26 individuals who are legally eligible to own a firearm:

- 27 (1) spouse;
- 28 (2) parent;
- 29 (3) child;
- 30 (4) grandparent; or

1 (5) grandchild.

2 * * *

3 Section 2. Title 18 is amended by adding a section to read:
4 § 6128. Completion of forms.

5 (a) Generally.--Except as provided under subsection (b), an
6 applicant must personally complete the form for a license to
7 carry a concealed firearm under section 6109 (relating to
8 licenses) or the form for the purchase of a firearm under
9 section 6111 (relating to sale or transfer of firearms) and
10 certify that the answers are true, correct and complete by
11 signing or making his or her mark on the form.

12 (b) Exception.--If an applicant is unable to read or write,
13 the forms described under subsection (a) may be completed as
14 follows:

15 (1) Answers to any questions on forms may be completed
16 by another person.

17 (2) The applicant must certify that the answers given
18 are true, correct and complete by signing or making his or
19 her mark on the form.

20 (3) Two persons must sign as witnesses to the
21 applicant's answers and signature.

22 (c) Definitions.--The following words and phrases when used
23 in this section shall have the meanings given to them in this
24 subsection unless the context clearly indicates otherwise:

25 "Answers to any questions on forms." The term shall include
26 the applicant's name, address, personal identifying information
27 and responses to questions that require an affirmative or
28 negative response.

29 "Another person." The term shall not include the seller of
30 the firearm or the sheriff or his representative.

1 "Two persons." The term shall not include the seller of the
2 firearm or the sheriff or his representative.

3 Section 3. This act shall take effect immediately.