

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1105 Session of
1995

INTRODUCED BY L. I. COHEN, KENNEY, STURLA, MELIO, TRICH, TIGUE,
J. TAYLOR, MICHLOVIC, JOSEPHS, YOUNGBLOOD AND TRELLO,
MARCH 9, 1995

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 9, 1995

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, providing for the possession or
3 transportation of certain firearms by minors; and providing
4 penalties.

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

7 Section 1. Title 18 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 6106.2. Possession or transportation of certain firearms by
10 minors.

11 (a) General rule.--It shall be unlawful for any person under
12 18 years of age to knowingly and intentionally possess or
13 transport a handgun or assault firearm anywhere in this
14 Commonwealth.

15 (b) Penalty.--A violation of subsection (a) constitutes a
16 misdemeanor of the first degree.

17 (c) Forfeiture.--Any firearm possessed or transported in
18 violation of this section shall be forfeited to the Commonwealth

1 and disposed of as provided by law.

2 (d) Exceptions.--This section shall not apply to any of the
3 following:

4 (1) A person:

5 (i) while in his home or on his property;

6 (ii) while in the home or on the property of his
7 parent, grandparent or legal guardian; or

8 (iii) while on the property of another who has
9 provided prior permission and with the prior permission
10 of his parent or legal guardian if the person has the
11 landowner's written permission on his person while on
12 that property.

13 (2) A person who, while accompanied by an adult, is at
14 or going to and from a lawful shooting range or firearms
15 educational class, provided that the weapons are unloaded
16 while being transported.

17 (3) A person actually engaged in lawful hunting or going
18 to and from a hunting area or preserve, provided that the
19 weapons are unloaded while being transported.

20 (4) A person while carrying out his duties in the armed
21 forces of the United States, the Pennsylvania National Guard
22 or the National Guard of any other state.

23 (e) Definitions.--As used in this section, the following
24 words and phrases shall have the meanings given to them in this
25 subsection:

26 "Assault firearm." Any of the following:

27 (1) A semiautomatic center fire rifle or pistol which
28 expels a projectile by action of an explosion and is equipped
29 at the time of the offense with a magazine which will hold
30 more than 20 rounds of ammunition or designed by the

1 manufacturer to accommodate a silencer or equipped with a
2 folding stock.

3 (2) A shotgun with a magazine which will hold more than
4 seven rounds of the longest ammunition for which it is
5 chambered.

6 "Handgun." A pistol or revolver or other firearm originally
7 designed, made and intended to fire a projectile by means of an
8 explosion from one or more barrels when held in one hand.

9 Section 2. This act shall take effect in 60 days.