

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 486 Session of  
1997

INTRODUCED BY SCHWARTZ, WILLIAMS, HUGHES AND RHOADES,  
FEBRUARY 12, 1997

REFERRED TO JUDICIARY, FEBRUARY 12, 1997

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 children's access to firearms.

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

6 Section 1. Section 6111 of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a subsection to read:  
8 § 6111. Sale or transfer of firearms.

9 \* \* \*

10 (b.1) Safety devices.--

11 (1) A licensed retail dealer shall post conspicuously at  
12 every purchase counter the following notice: "It is unlawful  
13 to store or leave an unlocked firearm where children can  
14 obtain access."

15 (2) No seller shall deliver a firearm to the purchaser  
16 thereof without offering to sell the purchaser a trigger lock  
17 or similar device which prevents the firearm from

1 discharging.

2 (3) A person who violates this subsection commits a  
3 summary offense and shall, upon conviction, be sentenced to  
4 pay a fine of \$500.

5 \* \* \*

6 Section 2. Title 18 is amended by adding a section to read:

7 § 6142. Children's access to firearms.

8 (a) General rule.--Except as provided in subsection (b), a  
9 person may not store or leave a loaded firearm or an unloaded  
10 firearm and ammunition in a location where the person knows or  
11 has reason to know that an unsupervised minor 17 years of age or  
12 younger could gain access.

13 (b) Exception.--Subsection (a) shall not apply to any of the  
14 following:

15 (1) A firearm which has been secured with a trigger lock  
16 or similar device which prevents the firearm from  
17 discharging.

18 (2) Access by a minor 17 years of age or younger which  
19 is supervised by an adult.

20 (3) Access by a minor 17 years of age or younger which  
21 has been gained by trespass.

22 (4) A law enforcement officer engaged in the performance  
23 of duty.

24 (c) Penalty.--A person who violates this section commits a  
25 misdemeanor of the third degree and shall, upon conviction, be  
26 sentenced to pay a fine of \$5,000 or to imprisonment for not  
27 more than one year, or both.

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

1     "Ammunition." Any ammunition cartridge, shell or other  
2     device containing explosive or incendiary material designed and  
3     intended for use in any firearm.

4     "Firearm." Any device designed to be used as a weapon from  
5     which is expelled a projectile by the force of an explosion or  
6     force of combustion.

7     Section 3. This act shall take effect in 60 days.