

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 874 Session of  
2005

INTRODUCED BY MYERS, JOSEPHS, BLACKWELL, THOMAS, CURRY, FRANKEL,  
ROEBUCK, KIRKLAND, WASHINGTON, JAMES, CRUZ, BISHOP, OLIVER  
AND WATERS, MARCH 14, 2005

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 14, 2005

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 53 (Municipalities  
2 Generally) of the Pennsylvania Consolidated Statutes, further  
3 providing for limitation on the regulation of firearms and  
4 ammunition and for limitation on municipal powers.

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

7 Section 1. Section 6120(a) of Title 18 of the Pennsylvania  
8 Consolidated Statutes is amended to read:

9 § 6120. Limitation on the regulation of firearms and  
10 ammunition.

11 (a) General rule.--[No]

12 (1) Except as provided in paragraph (2), no county,  
13 municipality or township may in any manner regulate the  
14 lawful ownership, possession, transfer or transportation of  
15 firearms, ammunition or ammunition components when carried or  
16 transported for purposes not prohibited by the laws of this  
17 Commonwealth.

18 (2) A city of the first class may adopt ordinances

1 making it unlawful for a person who is not a licensed  
2 firearms dealer to own, use, possess or transfer an assault  
3 weapon or any accessory or ammunition for an assault weapon.  
4 An ordinance adopted under this paragraph may not take effect  
5 until the local electorate ratifies it by referendum at the  
6 next general, municipal or primary election to be held after  
7 its adoption.

8 \* \* \*

9 Section 2. Section 2962(g) of Title 53 is amended to read:

10 § 2962. Limitation on municipal powers.

11 \* \* \*

12 (g) Regulation of firearms.--[A]

13 (1) Except as provided in paragraph (2), a municipality  
14 shall not enact any ordinance or take any other action  
15 dealing with the regulation of the transfer, ownership,  
16 transportation or possession of firearms.

17 (2) A city of the first class may adopt ordinances  
18 making it unlawful for a person who is not a licensed  
19 firearms dealer to own, use, possess or transfer an assault  
20 weapon or any accessory or ammunition for an assault weapon.  
21 An ordinance adopted under this paragraph may not take effect  
22 until the local electorate ratifies it by referendum at the  
23 next general, municipal or primary election to be held after  
24 its adoption.

25 \* \* \*

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