

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1753 Session of 2011

INTRODUCED BY KORTZ, BLOOM, BRENNAN, CAUSER, D. COSTA, CUTLER, DENLINGER, DeWEESE, EVERETT, GABLER, GEIST, GEORGE, GIBBONS, HESS, HORNAMAN, KAUFFMAN, KOTIK, METZGAR, MILLARD, MIRABITO, MULLERY, READSHAW, VULAKOVICH AND WHITE, JUNE 29, 2011

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 29, 2011

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in the Uniform Firearms Act, further
3 providing for licenses and for sale or transfer of firearms.

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

6 Section 1. Sections 6109(c) and 6111(b)(1) of Title 18 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 6109. Licenses.

9 * * *

10 (c) Form of application and content.--The application for a
11 license to carry a firearm shall be uniform throughout this
12 Commonwealth and shall be on a form prescribed by the
13 Pennsylvania State Police. The form may contain provisions, not
14 exceeding one page, to assure compliance with this section.
15 Issuing authorities shall use only the application form
16 prescribed by the Pennsylvania State Police. An issuing
17 authority may not refuse to issue a license based on the

applicant's inability to complete the application form without
assistance if two individuals other than the issuing authority
attest to completion at the direction of the applicant. One of
the following reasons for obtaining a firearm license shall be
set forth in the application: self-defense, employment, hunting
and fishing, target shooting, gun collecting or another proper
reason. The application form shall be dated and signed by the
applicant and shall contain the following statement:

I have never been convicted of a crime that prohibits me
from possessing or acquiring a firearm under Federal or
State law. I am of sound mind and have never been
committed to a mental institution. I hereby certify that
the statements contained herein are true and correct to
the best of my knowledge and belief. I understand that,
if I knowingly make any false statements herein, I am
subject to penalties prescribed by law. I authorize the
sheriff, or his designee, or, in the case of first class
cities, the chief or head of the police department, or
his designee, to inspect only those records or documents
relevant to information required for this application. If
I am issued a license and knowingly become ineligible to
legally possess or acquire firearms, I will promptly
notify the sheriff of the county in which I reside or, if
I reside in a city of the first class, the chief of
police of that city.

* * *

§ 6111. Sale or transfer of firearms.

* * *

(b) Duty of seller.--No licensed importer, licensed
manufacturer or licensed dealer shall sell or deliver any

1 firearm to another person, other than a licensed importer,
2 licensed manufacturer, licensed dealer or licensed collector,
3 until the conditions of subsection (a) have been satisfied and
4 until he has:

5 (1) For purposes of a firearm as defined in section 6102
6 (relating to definitions), obtained a completed
7 application/record of sale from the potential buyer or
8 transferee to be filled out in triplicate, the original copy
9 to be sent to the Pennsylvania State Police, postmarked via
10 first class mail, within 14 days of the sale, one copy to be
11 retained by the licensed importer, licensed manufacturer or
12 licensed dealer for a period of 20 years and one copy to be
13 provided to the purchaser or transferee. The form of this
14 application/record of sale shall be no more than one page in
15 length and shall be promulgated by the Pennsylvania State
16 Police and provided by the licensed importer, licensed
17 manufacturer or licensed dealer. No licensed importer,
18 licensed manufacturer or licensed dealer may refuse to sell
19 or deliver a firearm based on the inability of the potential
20 buyer or transferee to complete the application/record
21 without assistance if two individuals other than the licensed
22 importer, licensed manufacturer or licensed dealer attest to
23 completion at the direction of the potential buyer or
24 transferee. The application/record of sale shall include the
25 name, address, birthdate, gender, race, physical description
26 and Social Security number of the purchaser or transferee,
27 the date of the application and the caliber, length of
28 barrel, make, model and manufacturer's number of the firearm
29 to be purchased or transferred. The application/record of
30 sale shall also contain the following question:

1 Are you the actual buyer of the firearm(s), as defined
2 under 18 Pa.C.S. § 6102 (relating to definitions), listed
3 on this application/record of sale? Warning: You are not
4 the actual buyer if you are acquiring the firearm(s) on
5 behalf of another person, unless you are legitimately
6 acquiring the firearm as a gift for any of the following
7 individuals who are legally eligible to own a firearm:

- 8 (1) spouse;
- 9 (2) parent;
- 10 (3) child;
- 11 (4) grandparent; or
- 12 (5) grandchild.

13 * * *

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