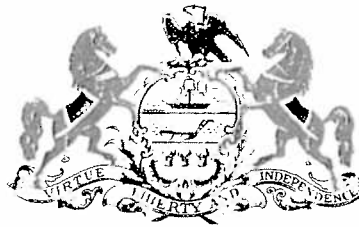


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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
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MEMORANDUM

To: All House Members

From: Representative Seth Grove
196th Legislative District

Date: January 5, 2011

Subject: Co-sponsorship – Individual Firearm Rights (**Former HB 2775**)

In the near future, I will reintroduce House Bill 2775 from the 2009-2010 session to codify federal rules on accessibility to individual firearm rights under Pennsylvania law.

This issue was raised during a licensed gun dealer seminar held by the Pennsylvania State Police, Firearms Bureau (PSP). A gun dealer asked the PSP representative if an applicant was allowed to get assistance in completing the required forms for the purchase of a firearm. The PSP representative applied a strict reading of the regulations (promulgated by the PSP) and stated the regulations do not permit another to complete the form and the applicant must do it alone.

A licensed gun dealer in my legislative district explained that the federal form (also required when transferring a firearm) makes specific accommodations for individuals who, for whatever reason, are unable to complete the ATF Form 4472. Given the obvious implications under the Americans with Disabilities Act (ADA) and the Constitutional problems associated with applying a “literacy test” to the exercise of a constitutional right, I asked our staff to reach out to the PSP for clarification.

Though the PSP reconsidered their position and indicated it would be permissible for someone to get help, it does not appear any new, written guidance will be forthcoming for gun dealers who will be faced with an applicant that cannot complete the form alone.

My legislation would adopt the procedure explained on the ATF Form 4472 – allowing another person to assist the applicant to complete the form and requiring two persons to witness the applicant’s answers and signature or mark. My bill would apply this procedure to both the application to purchase firearms and the application for a license to carry a concealed firearm.

Additionally, this bill would allow a gun dealer to record multiple firearms transferred in the same transaction on a single form. Unlike the ATF Form 4472, the PSP Form 4-113 (Application/Record of

Sale) only allows for the transfer of one firearm on each form thus forcing the dealer and applicant to complete one form for each gun purchased. My language cuts down on the amount of time and paper the dealer and applicant use by consolidating the transfer of firearms into a single form.

If you would like to cosponsor this legislation, please contact Lisa Burkholder at lburkhol@pahousegop.com or 717-783-2655. Thank you for your consideration.

Previous Cosponsors:

Moul, Saylor, Tallman, Baker, Caltagirone, Everett, Gingrich, Haluska, Harris, Hess, M. Keller, Kotik, Krieger, Longiotti, Metzgar, Readshaw, Reichley, Siptroth, S. H. Smith, Stevenson and White