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Senate of Pennsylvania

**RICHARD ALLOWAY, II
SENATOR**


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JAN 28 2011

TO: All Senators
FROM: Senator Richard Alloway, II 
**RE: Introduction of Legislation—Pennsylvania Preemption Statute Regarding
Firearms and Ammunition**
DATE: January 27, 2011

In the near future, I plan on introducing legislation providing for Pennsylvania State Preemption over firearms and ammunition regulations.

Specifically, this legislation would prevent local jurisdictions from imposing ordinances more restrictive than laws passed by the Pennsylvania State Legislature.

Where no uniform state laws are in place, the result can be chaotic as restrictions change from one local jurisdiction to another. Where so many different ordinances are allowed to exist, citizens with no criminal intent are placed in danger of breaking restrictions where they don't know they exist. Furthermore, it is unreasonable to require residents of Pennsylvania and citizens passing through from other states to memorize every firearm ordinance as they pass through each local jurisdiction.

The existence and degree of express state preemption of local firearms ordinances varies from state to state. Some states have had courts determine whether implied preemption exists. The states with express state preemption laws include: California, Nebraska. There are 42 states that have enacted broad preemption statutes.

If you are interested in joining me as a co-sponsor of this legislation, please contact Kelley Thomas at kathomas@pasen.gov or by phone at 787-4651.