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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

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MEMORANDUM

TO: Members of the House of Representatives

FROM: Representative W. Curtis Thomas

DATE: September 21, 2012

SUBJECT: Co-Sponsorship of Legislation: Firearms and Mental Illness

In the near future, I plan to introduce legislation that limits individuals with mental illness from receiving a gun permit and/or purchasing firearms.

The right of American citizens to own, register, and carry firearms has a significant history of federal and/or local regulation dating to the early 18th century. With the passage of the federal Gun Control Act of 1968, persons who have been treated for mental illness and/or substance abuse are among a defined group restricted from owning and carrying firearms.

After the Virginia Tech tragedy, Congress passed The National Instant Criminal Background Check System (NICS) Improvement Act, which gives states financial incentives to release to the Attorney General all relevant records on individuals who are prohibited by federal law from possessing firearms. The records covered include automated information needed by the NICS to identify felony convictions, felony indictments, fugitives from justice, drug arrests and convictions, prohibiting mental health adjudications and commitments, domestic violence protection orders, and misdemeanor crimes of domestic violence.

Anyone who has purchased a gun in Pennsylvania is familiar with the mental health question that appears on both the federal and state gun-purchase applications: "Have you ever been declared incompetent or involuntarily committed to a mental institution?" This question seems reasonable enough. My bill adds an additional question that asked "Have you ever been treated for any type of mental illness by a licensed professional?"

My legislation answers the public call for increased control in matters of firearm licensure to persons with mental illnesses. If you would like to join me in co-sponsoring this legislation, please contact Mary Gingrich in my office at (717) 783-0250 or MGingric@pahouse.net