

AN ACT

1 Providing for the requirement of firearm liability insurance for
2 firearm owners; and imposing penalties.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Firearm
7 Liability Insurance Act.

8 Section 2. Declaration of policy.

9 The General Assembly finds and declares as follows:

10 (1) Firearms can pose a danger of injury to persons and
11 property.

12 (2) Most firearm owners do not carry firearm-specific
13 liability coverage for use in the event that a firearm owner
14 is subject to a civil action due to the unauthorized use of
15 the owner's firearm by another person.

16 (3) It is in the public interest that victims of
17 firearm-related injuries are able to recover damages.

1 (4) The requirement of firearm liability insurance does
2 not impinge on, but rather protects, Second Amendment rights
3 and the self-defense rights of responsible firearm owners.

4 Section 3. Definitions.

5 The following words and phrases when used in this act shall
6 have the meanings given to them in this section unless the
7 context clearly indicates otherwise:

8 "Covered firearm." A firearm that is insured with firearm
9 liability insurance.

10 "Firearm." Any pistol or revolver with a barrel length less
11 than 15 inches, any shotgun with a barrel length less than 18
12 inches or any rifle with a barrel length less than 16 inches, or
13 any pistol, revolver, rifle or shotgun with an overall length of
14 less than 26 inches. The barrel length of a firearm shall be
15 determined by measuring from the muzzle of the barrel to the
16 face of the closed action, bolt or cylinder, whichever is
17 applicable. The term does not include:

18 (1) A firearm that is inoperable.

19 (2) An antique firearm as defined in 18 Pa.C.S. § 6118
20 (relating to antique firearms).

21 "Firearm liability insurance." Insurance required under this
22 act.

23 Section 4. Firearm liability insurance required.

24 An individual in possession of a firearm in this Commonwealth
25 must maintain firearm liability insurance for each firearm owned
26 by that individual.

27 Section 5. Coverage.

28 Firearm liability insurance coverage shall include:

29 (1) At least \$500,000 in liability coverage that can be
30 used by the firearm owner to pay civil damages resulting from

1 the legal use of the firearm by the firearm's owner. The
2 policy shall satisfy any judgment for personal injuries or
3 property damages arising out of legal use of the covered
4 firearm up to the coverage amount.

5 (2) At least \$50,000 in criminal defense protection that
6 can be used to reimburse a firearm owner in the event that
7 the owner is found not guilty after being charged with
8 illegal use of a covered firearm.

9 (3) At least \$5,000 for mental health services for a
10 firearm owner, the need for which results from the legal use
11 of a covered firearm.

12 Section 6. Proof of insurance.

13 Upon request of a law enforcement officer, a person found in
14 possession of a firearm must provide proof of firearm liability
15 insurance.

16 Section 7. Penalties.

17 (a) Violation.--A violation of section 6 is a summary
18 offense punishable by a fine as follows:

19 (1) For a first offense, a fine of not less than \$500.

20 (2) For a second offense, a fine of not less than
21 \$1,000.

22 (3) For third offense, a fine of not less than \$1,500.

23 (4) For fourth or subsequent offense, a fine of not less
24 than \$2,000.

25 (b) Waiver of fine.--If a person receives a citation issued
26 by the proper authority for a violation of section 6, a
27 magisterial district judge, magistrate or judge shall dismiss
28 the charges if the person prior to or at the person's hearing
29 displays proof of firearm liability insurance to the magisterial
30 district judge, magistrate or judge.

1 (c) Payment of fines.--A person who violates this act may
2 make arrangements with the appropriate judicial authority to
3 make payments of all other outstanding fines and costs
4 immediately or, in the discretion of the appropriate judicial
5 authority, by installments.

6 Section 8. Effective date.

7 This act shall take effect in 365 days.