

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1985 Session of
1993

INTRODUCED BY ROONEY, STETLER, LaGROTTA, TRELLO, VEON, BELFANTI,
BUTKOVITZ, TOMLINSON, DALEY, KIRKLAND, CAPPABIANCA, JOSEPHS,
COY, FREEMAN, BATTISTO AND MASLAND, SEPTEMBER 29, 1993

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 29, 1993

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, prohibiting the storage of firearms
3 within easy access of certain individuals; and imposing
4 penalties.

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

7 Section 1. Title 18 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 6125. Access to firearms.

10 (a) Storage requirements.--

11 (1) A person who stores or leaves, on premises under his
12 control, a firearm and who has reasonable cause to believe
13 that a person who has been convicted of a crime of violence
14 or is a drug addict, an habitual drunkard or of unsound mind
15 is likely to gain access to the firearm shall keep the
16 firearm in a securely locked box or container or in a
17 location which a reasonable person would believe to be secure
18 or shall secure it with a trigger lock, except when he is

1 carrying the firearm on his body or within such close
2 proximity thereto that he can retrieve and use it as easily
3 and quickly as if he carried it on his body.

4 (2) A violation of this subsection constitutes a
5 misdemeanor of the third degree.

6 (3) This subsection does not apply if the firearm is
7 obtained as a result of an unlawful entry by any person.

8 (b) Access resulting in injury or death.--

9 (1) A violation of subsection (a) resulting in the use
10 of a firearm and resulting in the injury or death of any
11 person constitutes a felony of the third degree.

12 (2) This subsection shall not apply in any of the
13 following circumstances:

14 (i) The firearm was stored or left in a securely
15 locked box or container or in a location which a
16 reasonable person would have believed to be secure, or
17 was securely locked with a trigger lock.

18 (ii) The firearm is obtained as a result of an
19 unlawful entry by any person.

20 (iii) The injuries resulted from target or sport
21 shooting accidents or hunting accidents.

22 (c) Notice by retailer.--

23 (1) Any person who offers for sale at retail any firearm
24 shall post in a conspicuous place the following notice:

25 It is unlawful to store or leave a firearm in any place
26 within the reach or easy access of a person who has been
27 convicted of a crime of violence or is a drug addict, an
28 habitual drunkard or of unsound mind.

29 (2) Any person who offers any firearm for sale at retail
30 shall notify the purchaser of the availability of a trigger

1 lock.

2 (3) A violation of this subsection constitutes a summary
3 offense.

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