

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2401 Session of  
1992

INTRODUCED BY GODSHALL, LLOYD, NAHILL, LEVDANSKY, COLAIZZO,  
MERRY, PHILLIPS, HERSHEY, LEH, KASUNIC, CORNELL, FAIRCHILD,  
ARMSTRONG, BLAUM, COY, CLARK, CIVERA, DeWEESE, GEIST, STABACK  
AND NICKOL, FEBRUARY 10, 1992

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 10, 1992

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for loans on, or  
3 lending or giving firearms prohibited.

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

6 Section 1. Section 6115 of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 6115. Loans on, or lending or giving firearms prohibited.

9 (a) General rule.--No person shall make any loan secured by  
10 mortgage, deposit, or pledge of a firearm[; nor shall any person  
11 lend or give a firearm to another or otherwise deliver a firearm  
12 contrary to the provisions of this subchapter].

13 (b) Persons prohibited from receiving firearms.--A person  
14 may not knowingly lend, give or deliver a firearm to the  
15 following persons:

16 (1) A person who has been convicted in this Commonwealth  
17 or in any jurisdiction of a crime of violence as defined in

1 section 6102 (relating to definitions).

2 (2) A person who has been convicted in this Commonwealth  
3 or any other jurisdiction of a crime punishable by a term of  
4 imprisonment exceeding one year.

5 (3) A person who is a fugitive from justice.

6 (4) A person who is an unlawful user of or addicted to  
7 any controlled substance, as defined in section 2 of the act  
8 of April 14, 1972 (P.L.233, No.64), known as The Controlled  
9 Substance, Drug, Device and Cosmetic Act.

10 (5) A person who has been adjudicated as an incompetent  
11 or who has been involuntarily committed to a mental  
12 institution under the provisions of the act of July 9, 1976  
13 (P.L.817, No.143), known as the Mental Health Procedures Act.

14 (6) A person who, being an alien, is illegally or  
15 unlawfully in the United States.

16 (7) A person who has been discharged from the armed  
17 forces under dishonorable conditions.

18 (8) A person who, having been a citizen of the United  
19 States, has renounced his citizenship.

20 (9) A person specified in section 6110 (relating to  
21 persons to whom delivery shall not be made).

22 (c) Exemption.--Any person, other than one who has been  
23 convicted in this Commonwealth or any other jurisdiction of a  
24 crime of violence specified in subsection (b)(1), shall be  
25 exempt from the restrictions imposed by that subsection if any  
26 of the following apply:

27 (1) The conviction has been vacated under circumstances  
28 where all appeals have been exhausted or where the right to  
29 appeal has expired.

30 (2) The conviction has been the subject of a full pardon

1 by the Governor.

2 (3) The Secretary of the Treasury of the United States  
3 has relieved the person of an applicable disability imposed  
4 by Federal law upon the possession of a firearm as a result  
5 of the person's prior conviction or commitment to a mental  
6 institution.

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