

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1138 Session of  
1999

INTRODUCED BY SLOCUM, CORMAN, HELFRICK, ROBBINS, MUSTO, KASUNIC,  
MOWERY, MADIGAN, BRIGHTBILL, PUNT AND WOZNIAK,  
OCTOBER 14, 1999

REFERRED TO JUDICIARY, OCTOBER 14, 1999

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, further providing for limitation on  
3 municipal regulation of firearms and ammunition.

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

6 Section 1. Section 6120 of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended to read:

8 § 6120. Limitation on [municipal] the regulation of firearms  
9 and ammunition.

10 (a) General rule.--No [county, municipality or township]  
11 political subdivision may in any manner regulate the lawful  
12 ownership, possession, transfer or transportation of firearms,  
13 ammunition or ammunition components when carried or transported  
14 for purposes not prohibited by the laws of this Commonwealth.

15 (a.1) No right of action.--

16 (1) Neither the Commonwealth nor a political subdivision  
17 may bring or maintain an action at law or in equity against  
18 any firearms or ammunition manufacturer, trade association or

1 dealer for damages, abatement, injunctive relief or any other  
2 relief or remedy resulting from or relating to either the  
3 design or manufacture of firearms or ammunition or the  
4 marketing or sale of firearms or ammunition to the public.

5 (2) Nothing in this subsection shall be construed to  
6 prohibit the Commonwealth or a political subdivision from  
7 bringing or maintaining an action against a firearms or  
8 ammunition manufacturer or dealer for breach of contract or  
9 warranty as to firearms or ammunition purchased by the  
10 political subdivision.

11 (b) [Definition.--For the purposes of this section, the term  
12 "firearms" has the meaning given in section 5515 (relating to  
13 prohibiting of paramilitary training) but shall not include air  
14 rifles as defined in section 6304 (relating to sale and use of  
15 air rifles).] Definitions.--As used in this section, the  
16 following words and phrases shall have the meanings given to  
17 them in this subsection:

18 "Dealer." The term shall include any person engaged in the  
19 business of selling at wholesale or retail a firearm or  
20 ammunition.

21 "Firearms." This term shall have the meaning given to it in  
22 section 5515 (relating to prohibiting of paramilitary training),  
23 but shall not include air rifles as that term is defined in  
24 section 6304 (relating to sale and use of air rifles).

25 "Political subdivision." Includes, but is not limited to,  
26 any home rule charter municipality, county, city, borough,  
27 incorporated town, township, school district, vocational school  
28 district, or county institution district, or any department,  
29 agency or authority thereof.

30 Section 2. This act shall apply to all actions pending on or

1 brought after the effective date of this act.

2       Section 3. The provisions of this act are severable. If any  
3 provision of this act or its application to any person or  
4 circumstance is held invalid, the invalidity shall not affect  
5 other provisions or applications of this act which can be given  
6 effect without the invalid provision or application.

7       Section 4. This act shall take effect immediately.