



1 Section 2. Section 2962(g) of Title 53 is amended to read:  
2 § 2962. Limitation on municipal powers.

3 \* \* \*

4 (g) Regulation of firearms.--[A] Except as provided in  
5 section 2962.1 (relating to Municipal Firearms Enforcement  
6 Commission), a municipality shall not enact any ordinance or  
7 take any other action dealing with the regulation of the  
8 transfer, ownership, transportation or possession of firearms.

9 \* \* \*

10 Section 3. Title 53 is amended by adding a section to read:  
11 § 2962.1. Municipal Firearms Enforcement Commission.

12 (a) Establishment.--A city of the first class may establish  
13 a Municipal Firearms Enforcement Commission. The commission  
14 shall be an instrumentality of the city of the first class,  
15 exercising the city's powers to legislate regarding firearms and  
16 ammunition. The commission shall continue until its existence is  
17 terminated by the city of the first class.

18 (b) Powers.--The commission shall have the power to consider  
19 and adopt ordinances for the city of the first class regarding  
20 the lawful ownership, possession, transfer and transportation of  
21 firearms, ammunition and ammunition components. An ordinance  
22 adopted under this subsection may not take effect until the  
23 local electorate ratifies it by referendum at the next general,  
24 municipal or primary election to be held after its adoption.

25 (c) Governing body.--The powers of the commission shall be  
26 exercised by a board composed of not less than 11 members who  
27 are residents of the city of the first class. The members shall  
28 be appointed as follows:

29 (1) The President pro tempore of the Senate, the  
30 Minority Leader of the Senate, the Speaker of the House of

1 Representatives and the Minority Leader of the House of  
2 Representatives shall each appoint two members of the  
3 commission. The term of office of a member of the commission  
4 appointed under this paragraph shall be for a period of two  
5 years beginning on the third Tuesday of each January in an  
6 odd-numbered year.

7 (2) The Governor shall appoint two members of the  
8 commission. The members of the commission appointed under  
9 this paragraph shall not be of the same political party. The  
10 members of the commission appointed by the Governor shall be  
11 appointed subject to the advice and consent of a majority of  
12 the members elected to the Senate. The term of office of a  
13 member of the commission appointed under this paragraph shall  
14 run concurrently with the term of office of the appointing  
15 authority.

16 (3) The members of the commission who are appointed  
17 under paragraphs (1) and (2) shall, by a vote of a majority  
18 of members of the commission, appoint an additional member to  
19 the commission who shall serve as a chairman of the  
20 commission. The member appointed under this paragraph shall  
21 serve for a term coincident with the term of the members of  
22 the commission who are appointed under paragraph (1). In the  
23 event the members of the commission who are appointed under  
24 paragraphs (1) and (2) cannot agree on an additional member  
25 within 60 days of the office becoming vacant, the Governor  
26 shall appoint an additional member of the commission who  
27 shall serve as chairman subject to the advice and consent of  
28 a majority of the members elected to the Senate. The member  
29 of the commission appointed under this paragraph by either  
30 the members of the commission or the Governor shall serve as

1 a member of and chairman of the commission until a successor  
2 is duly appointed.

3 (4) The appointing authorities shall certify their  
4 respective appointments to the Secretary of the Commonwealth.

5 (d) Terms and vacancies.--Except as otherwise provided,  
6 members shall serve a term from the date of their appointment  
7 and until their successors have been appointed and qualified. If  
8 a vacancy shall occur by means of the death, disqualification,  
9 abandonment, resignation or removal of a member or the chairman,  
10 the appointing authority shall appoint a successor to fill the  
11 unexpired term subject to the provisions of subsection (c).

12 (e) Expenses.--Commission members shall be reimbursed for  
13 reasonable and necessary expenses incurred in the performance of  
14 their official duties from the funds of the city of the first  
15 class.

16 (f) Organization.--The members of the commission shall  
17 select a vice chairman and other officers as the commission may  
18 determine from the members of the commission. All actions of the  
19 commission shall be taken by a majority vote. Notwithstanding  
20 any other law, court decision, precedent or practice to the  
21 contrary, no actions by or on behalf of the commission shall be  
22 taken by any officer of the commission except upon the approval  
23 of a majority of the commission.

24 (g) Meetings.--Regular meetings of the commission shall be  
25 held at least once in each calendar month except July or August,  
26 the time and place of the meetings to be fixed by the  
27 commission. A majority of the commission shall constitute a  
28 quorum for the transaction of business. All actions of the  
29 commission shall be by resolutions, and the affirmative vote of  
30 a majority of members of the commission shall be necessary for

1 the adoption of any resolution.

2 (h) Abandonment.--A member of the commission shall be deemed  
3 to have abandoned office upon failure to attend any regular or  
4 special meeting of the commission without excuse approved by  
5 resolution of the commission for a period of three consecutive  
6 months or four months during any twelve-month period or upon  
7 removal of the member's residence from the city of the first  
8 class.

9 (i) Removal of members.--A member of the commission may be  
10 removed from the commission only for misfeasance or malfeasance  
11 by a vote of a majority of members of the commission. Prior to  
12 the member being removed, the member must be provided with a  
13 written statement of the reasons for removal and an opportunity  
14 for a hearing in accordance with 2 Pa.C.S. Chs. 5 Subch. A  
15 (relating to practice and procedure of Commonwealth agencies)  
16 and 7 Subch. A (relating to judicial review of Commonwealth  
17 agency action).

18 (j) Definitions.--As used in this section, the following  
19 words and phrases shall have the meanings given to them in this  
20 subsection:

21 "Commission." The Municipal Firearms Enforcement Commission  
22 established under this section.

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