

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2288 Session of  
2008

INTRODUCED BY BENNINGHOFF, BARRAR, CREIGHTON, CUTLER, EVERETT,  
GRELL, JOSEPHS, R. MILLER, SCAVELLO, SIPTROTH, SONNEY, SURRA,  
SWANGER, THOMAS, J. WHITE, YOUNGBLOOD, DENLINGER AND  
SCHRODER, MARCH 5, 2008

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 5, 2008

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, providing for a study by the Joint  
3 State Government Commission; and making appropriations.

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

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

8 § 6111.6. Study by Joint State Government Commission.

9 (a) Study.--The Joint State Government Commission shall  
10 conduct a continuing study for the purpose of evaluating:

11 (1) the extent, if any, to which legally purchased  
12 firearms, as defined in section 6102 (relating to  
13 definitions), are used by their purchaser in criminal  
14 activity; and

15 (2) the incidence of arrests for violations of this  
16 chapter as compared to convictions and adjudications of  
17 delinquency for violations of this chapter within the various

1 counties of this Commonwealth.

2 (b) Cooperation of other agencies.--Beginning on the  
3 effective date of this section and ending three years from the  
4 effective date of this section, the Pennsylvania State Police  
5 shall provide to the Joint State Government Commission such  
6 information as is necessary to conduct the study. The commission  
7 may contract with such persons as appropriate for the purposes  
8 of carrying out the study.

9 (c) Provision of data.--

10 (1) Notwithstanding the provisions of sections 6111(i)  
11 (relating to sale or transfer of firearms), 6111.4 (relating  
12 to registration of firearms) and 9121(b)(1) (relating to  
13 general regulations), for the limited purposes and during the  
14 limited period of this study, the Pennsylvania State Police  
15 shall provide records concerning purchases of firearms and  
16 criminal history record information without fee to the Joint  
17 State Government Commission.

18 (2) Notwithstanding the provisions of 42 Pa.C.S. § 6308  
19 (relating to law enforcement records), the Pennsylvania State  
20 Police shall provide the incidence rate of adjudications of  
21 delinquency for violations of this chapter within the various  
22 counties of this Commonwealth without fee to the Joint State  
23 Government Commission.

24 (d) Report.--The Joint State Government Commission shall  
25 issue a final report on the study within three years and six  
26 months after the effective date of this section. The commission  
27 may issue interim reports as it deems appropriate.

28 (e) Use of information.--Neither the Joint State Government  
29 Commission nor any other person may publicly release identifying  
30 information obtained by the commission. The commission shall

1 make information which it compiles available to the Office of  
2 Attorney General for law enforcement purposes. The Office of  
3 Attorney General or any other law enforcement agency which  
4 receives such information shall treat the information as  
5 intelligence information subject to the provisions of Chapter 91  
6 (relating to criminal history record information).

7       Section 2. The sum of \$300,000 is hereby appropriated to the  
8 Joint State Government Commission for the purpose of conducting  
9 the study provided for under 18 Pa.C.S. § 6111.6.

10       Section 3. The sum of \$50,000 is hereby appropriated to the  
11 Pennsylvania State Police for the purpose of providing  
12 information pursuant to 18 Pa.C.S. § 6111.6(b) and (c).

13       Section 4. This act shall take effect in six months.