
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 701 Session of
2007

INTRODUCED BY GREENLEAF, WASHINGTON, RAFFERTY, COSTA, BOSCOLA,
O'PAKE, TARTAGLIONE AND C. WILLIAMS, APRIL 2, 2007

REFERRED TO JUDICIARY, APRIL 2, 2007

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for the offense of
3 sale or transfer of firearms; providing for the offense of
4 straw purchases; establishing penalties; and providing for
5 the powers and duties of the Pennsylvania State Police
6 relating to straw purchases.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 6111(g)(2) of Title 18 of the
10 Pennsylvania Consolidated Statutes is amended to read:

11 § 6111. Sale or transfer of firearms.

12 * * *

13 (g) Penalties.--

14 * * *

15 (2) Any person, licensed dealer, licensed manufacturer
16 or licensed importer who knowingly or intentionally sells,
17 delivers or transfers a firearm under circumstances intended
18 to provide a firearm to any person, purchaser or transferee
19 who is unqualified or ineligible to control, possess or use a
20 firearm under this chapter commits a felony of the [third]

1 second degree and shall in addition be subject to revocation
2 of the license to sell firearms for a period of three years.

3 * * *

4 Section 2. Title 18 is amended by adding a section to read:

5 § 6111.6. Straw purchases.

6 (a) Offense defined.--No person, other than a licensed
7 dealer, licensed manufacturer or licensed importer may purchase
8 a firearm knowing or intending that the firearm will thereafter
9 be transferred to another individual.

10 (b) Presumption.--In the absence of:

11 (1) any report by the purchaser to law enforcement
12 authorities that the firearm has been stolen; and

13 (2) any record of a lawful sale of the firearm
14 possession of the firearm, on or after the date of its purchase,
15 by a person other than the purchaser of the firearm shall give
16 rise to a rebuttable presumption that the purchaser, at the time
17 of purchase, knew or intended that the firearm would thereafter
18 be transferred to another individual.

19 (c) Defense.--It is a defense to a violation of this section
20 that the person who purchased the firearm knew or intended that
21 the firearm would thereafter be transferred as a bona fide gift
22 to another individual.

23 (d) Penalties.--A violation of this section is a felony of
24 the second degree.

25 (e) Pennsylvania State Police.--The Pennsylvania State
26 Police shall retain information related to handgun purchases,
27 including the number of handguns sold by a licensed importer,
28 licensed manufacturer or licensed dealer to any one person, and
29 the number of handguns purchased by each person. The
30 Pennsylvania State Police shall use the information to

1 investigate whether the person, licensed importer, licensed
2 manufacturer or licensed dealer may be in violation of section
3 6111 (relating to sale or transfer of firearms) or this section.

4 Section 3. This act shall take effect in 60 days.