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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1889 Session of  
2019

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INTRODUCED BY JOHNSON-HARRELL, McCLINTON, KINSEY, HOHENSTEIN,  
A. DAVIS, KOSIEROWSKI, SANCHEZ, CEPHAS, SCHLOSSBERG, FREEMAN,  
ZABEL, HARRIS, YOUNGBLOOD, CALTAGIRONE, STURLA, HOWARD,  
FIEDLER, ULLMAN, FITZGERALD, DRISCOLL, MURT, T. DAVIS,  
SOLOMON, SHUSTERMAN, CIRESI, CRUZ, WILLIAMS AND WARREN,  
SEPTEMBER 26, 2019

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REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 26, 2019

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AN ACT

1 Providing for the establishment and funding of a center to  
2 conduct research on gun violence in this Commonwealth.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Center for  
7 Gun Violence Research Act.

8 Section 2. Findings.

9 The General Assembly finds and declares the following:

10 (1) Gun violence is a significant public health crisis  
11 and public safety problem in this Commonwealth and  
12 nationwide. Nationally, rates of fatal gun violence have  
13 remained essentially unchanged for more than a decade, as  
14 declines in homicide have been offset by increases in  
15 suicide.

16 (2) For the decade ending in 2010, Pennsylvania had

1 12,941 gun-related deaths, which ranked fourth-highest in the  
2 United States. During that same decade, the rate of gun  
3 homicides among children and teens in this Commonwealth  
4 ranked as one of the highest in the nation.

5 (3) The annual cost of gun violence across the United  
6 States is estimated to be more than \$100 billion and could be  
7 as high as \$229 billion per year.

8 (4) Too little is known about gun violence, its causes  
9 and the best practices for its prevention. There is a  
10 substantial need for publicly funded academic research in gun  
11 violence. The need for more research and more sophisticated  
12 research is critical in fighting the plague of gun violence  
13 in our schools and communities.

14 (5) Federal funding for gun violence research through  
15 the Centers for Disease Control and Prevention was  
16 effectively eliminated by Congress in 1996 through the  
17 passage of a provision known as the Dickey Amendment.

18 (6) It is the intent of this act to provide State  
19 funding for gun violence research in place of the Federal  
20 funding that has been curtailed by the Dickey Amendment.

21 Section 3. Definitions.

22 The following words and phrases when used in this act shall  
23 have the meanings given to them in this section unless the  
24 context clearly indicates otherwise:

25 "Center." The Center for Gun Violence Research established  
26 under section 4.

27 "University." Any of the following:

28 (1) An independent institution of higher education  
29 located in and incorporated or chartered by the Commonwealth,  
30 entitled to confer degrees as set forth in 24 Pa.C.S. § 6505

1 (relating to power to confer degrees) and entitled to apply  
2 to itself the designation "college," "university" or  
3 "seminary" as provided for by standards and qualifications  
4 prescribed by the State Board of Education under 24 Pa.C.S.  
5 Ch. 65 (relating to private colleges, universities and  
6 seminaries).

7 (2) A State-owned institution.

8 (3) A State-related institution.

9 Section 4. Center for Gun Violence Research.

10 (a) Establishment.--There is established a research center  
11 for gun violence in this Commonwealth. The center shall be  
12 administered by a university selected by the Governor under  
13 section 5(i).

14 (b) Mission.--The center's mission shall be to conduct  
15 independent academic research on gun violence in this  
16 Commonwealth and to provide policymakers, including the General  
17 Assembly, the Governor, State agencies and local governments,  
18 with scientific evidence to develop sound gun violence  
19 prevention policies and programs.

20 (c) Nonpartisan research.--The center shall conduct research  
21 on a nonpartisan basis.

22 Section 5. Location of center.

23 (a) Request for proposals.--Proposals for the location and  
24 operation of the center shall be solicited through a request for  
25 proposals.

26 (b) Public notice.--Public notice of the request for  
27 proposals shall be given in the same manner as provided under 62  
28 Pa.C.S. § 512(c) (relating to competitive sealed bidding).

29 (c) Receipt of proposals.--Universities shall submit  
30 proposals in the form and time period as established by the

1 evaluation committee established under subsection (e).

2 (d) Opening of proposals.--Proposals shall be opened in a  
3 manner which avoids disclosure of the proposal's contents to  
4 competing offerors.

5 (e) Evaluation committee.--An evaluation committee is  
6 established to review all proposals and make recommendations to  
7 the Governor as provided under subsection (h). The committee  
8 shall be comprised of the following members:

9 (1) The Attorney General of Pennsylvania.

10 (2) The Secretary of Health.

11 (3) The Secretary of Human Services.

12 (4) The Secretary of Corrections.

13 (5) The Secretary of Education.

14 (6) The chair of the Pennsylvania Commission on Crime  
15 and Delinquency.

16 (7) The Commissioner of Pennsylvania State Police.

17 (f) Evaluation criteria.--The relative importance of the  
18 evaluation factors shall be fixed prior to opening the  
19 proposals. No individual who has been employed within the  
20 preceding two years by an applying university may participate in  
21 the evaluation of proposals.

22 (g) Discussion with responsible offerors and revision of  
23 proposals.--The following shall apply:

24 (1) As provided in the request for proposals, the  
25 evaluation committee may hold discussions with a university  
26 for purposes of reviewing and clarifying the university's  
27 proposal.

28 (2) A university shall be accorded fair and equal  
29 treatment with respect to any opportunity for discussion,  
30 review or revision of a proposal.

1           (3) In conducting a discussion under paragraph (1), the  
2 evaluation committee shall not disclose any information  
3 derived from proposals submitted by competing universities.

4           (h) Recommendation to Governor.--The two universities whose  
5 proposals are determined in writing to be the most advantageous  
6 to this Commonwealth for carrying out the intent of this act and  
7 the mission of the center shall be recommended to the Governor  
8 for final selection.

9           (i) Selection by Governor.--Within 10 days of receipt of the  
10 recommendations under subsection (h), the Governor shall select  
11 the university to operate the center.

12 Section 6. Duties.

13           (a) General rule.--The center shall be responsible for  
14 working on a continuing basis with the Governor, the General  
15 Assembly and local governments to identify, implement and  
16 evaluate innovative gun violence prevention policies and  
17 programs.

18           (b) Methods.--The center shall conduct basic, translational  
19 and transformative research using scientific-based methods to  
20 develop and analyze gun violence prevention policies and  
21 programs.

22           (c) Research.--The center shall conduct interdisciplinary  
23 research that shall, at a minimum, include the following:

24               (1) The nature of gun violence, including individual and  
25 societal determinants of risk for involvement in gun  
26 violence, whether as a victim or a perpetrator.

27               (2) The individual, community and societal consequences  
28 of gun violence.

29               (3) Prevention and treatment of gun violence at the  
30 individual, community and societal levels.

1 (4) Effectiveness of existing laws and policies intended  
2 to reduce gun violence, including the criminal misuse of  
3 firearms, and efforts to promote responsible ownership and  
4 firearm use.

5 (5) Analysis of data and statistics of gun-related crime  
6 that occurs in this Commonwealth.

7 (6) The financial impact of gun violence on this  
8 Commonwealth, political subdivisions, hospitals, social  
9 service agencies and other entities impacted by gun violence.

10 (d) Cooperation.--Unless specifically prohibited by law,  
11 each State agency, county district attorney's office, local  
12 police department and county or municipal health department  
13 shall provide to the center, upon request, the data necessary  
14 for the center to conduct the research required under this act.

15 (e) Reports.--Biennially, the center shall submit a report  
16 to the Governor and the General Assembly on the center's  
17 activities, including research projects completed during the  
18 prior two years, current research projects and other information  
19 the center deems relevant.

20 (f) Internet website.--The center shall maintain a publicly  
21 accessible Internet website and post all of the center's  
22 completed research.

### 23 Section 7. Funding.

24 (a) General Assembly.--The General Assembly shall annually  
25 provide an appropriation to fund the activities of the center.

26 (b) Grants.--The following shall apply:

27 (1) The center may supplement the center's own research  
28 by awarding competitive grants to nonprofit organizations  
29 that conduct gun violence research.

30 (2) All research money shall be awarded on scientific

1 merit as determined by an open and competitive peer review  
2 process that assures objectivity, consistency and high  
3 quality. All qualified investigators, regardless of  
4 institutional affiliation, shall have equal access and  
5 opportunity to compete for grant money.

6 (3) The peer review process for the selection of grants  
7 awarded under this section shall be modeled on the grant-  
8 making process used by the National Institutes of Health.

9 (4) All grants awarded under this subsection shall be  
10 made from the appropriation provided by the General Assembly.

11 (c) Research by grantees.--Research completed by a nonprofit  
12 organization through a grant awarded under subsection (b) shall:

13 (1) belong to the center;

14 (2) be posted on the center's publicly accessible  
15 Internet website; and

16 (3) be distributed to the Governor and the General  
17 Assembly.

18 (d) Submission for funding.--The university housing the  
19 center shall, on an annual basis, submit a request for funding  
20 to the Office of the Budget for inclusion in the Governor's  
21 budget proposal. Funding for the center shall appear as a  
22 separate line item in the Governor's proposed budget.

23 Section 8. Effective date.

24 This act shall take effect in 60 days.