
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2011 Session of
2014

INTRODUCED BY M. K. KELLER, MARSICO, AUMENT, BAKER, BLOOM,
CAUSER, CLYMER, COX, EVERETT, GABLER, GIBBONS, GINGRICH,
GODSHALL, GRELL, GROVE, C. HARRIS, HICKERNELL, JAMES,
KAUFFMAN, KORTZ, KRIEGER, LAWRENCE, LONGIETTI, LUCAS,
MALONEY, MILLARD, R. MILLER, MOUL, OBERLANDER, PAYNE,
PICKETT, PYLE, SAYLOR, SNYDER, SONNEY, STERN, SWANGER,
TALLMAN AND TURZAI, FEBRUARY 4, 2014

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 4, 2014

AN ACT

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

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

7 Section 1. Section 6120(b) of Title 18 of the Pennsylvania
8 Consolidated Statutes is amended and the section is amended by
9 adding subsections to read:

10 § 6120. Limitation on the regulation of firearms and
11 ammunition.

12 * * *

13 (a.2) Relief.--A person adversely affected by an ordinance,
14 a resolution, regulation, rule, practice or any other action
15 promulgated or enforced by a county, municipality or township
16 prohibited under subsection (a) or 53 Pa.C.S. § 2962(g)

1 (relating to limitation on municipal powers) may seek
2 declaratory or injunctive relief and actual damages in an
3 appropriate court.

4 (a.3) Reasonable expenses.--A court shall award reasonable
5 expenses to a person adversely affected in an action under
6 subsection (a.2) for any of the following:

7 (1) A final determination by the court is granted in
8 favor of the person adversely affected.

9 (2) The regulation in question is rescinded, repealed or
10 otherwise abrogated after suit has been filed under
11 subsection (a.2) but before the final determination by the
12 court.

13 (b) Definitions.--As used in this section, the following
14 words and phrases shall have the meanings given to them in this
15 subsection:

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

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

23 "Person adversely affected." Any of the following:

24 (1) A resident of this Commonwealth who may legally
25 possess a firearm under Federal and State law.

26 (2) A person who otherwise has standing under the laws
27 of this Commonwealth to bring an action under subsection
28 (a.2).

29 (3) A membership organization, in which a member is a
30 person described under paragraphs (1) or (2).

1 "Political subdivision." The term shall include any home
2 rule charter municipality, county, city, borough, incorporated
3 town, township or school district.

4 "Reasonable expenses." The term includes, but is not limited
5 to, attorney fees, expert witness fees, court costs and
6 compensation for loss of income.

7 Section 2. This act shall take effect in 60 days.