
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 290 Session of
2019

INTRODUCED BY A. WILLIAMS, COSTA, COLLETT AND HAYWOOD,
FEBRUARY 14, 2019

REFERRED TO JUDICIARY, FEBRUARY 14, 2019

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 sale or transfer of firearms
4 and for registration of firearms.

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

7 Section 1. Sections 6111(b)(1.1)(v) and 6111.4 of Title 18
8 are amended to read:

9 § 6111. Sale or transfer of firearms.

10 * * *

11 (b) Duty of seller.--No licensed importer, licensed
12 manufacturer or licensed dealer shall sell or deliver any
13 firearm to another person, other than a licensed importer,
14 licensed manufacturer, licensed dealer or licensed collector,
15 until the conditions of subsection (a) have been satisfied and
16 until he has:

17 * * *

18 (1.1) On the date of publication in the Pennsylvania
19 Bulletin of a notice by the Pennsylvania State Police that

1 the instantaneous records check has been implemented, all of
2 the following shall apply:

3 * * *

4 (v) [Unless it has been discovered pursuant to a
5 criminal history, juvenile delinquency and mental health
6 records background check that the potential purchaser or
7 transferee is prohibited from possessing a firearm
8 pursuant to section 6105 (relating to persons not to
9 possess, use, manufacture, control, sell or transfer
10 firearms), no information on the application/record of
11 sale provided pursuant to this subsection shall be
12 retained as precluded by section 6111.4 (relating to
13 registration of firearms) by the Pennsylvania State
14 Police either through retention of the application/record
15 of sale or by entering the information onto a computer,
16 and, further, an application/record of sale received by
17 the Pennsylvania State Police pursuant to this subsection
18 shall be destroyed within 72 hours of the completion of
19 the criminal history, juvenile delinquency and mental
20 health records background check.] The Pennsylvania State
21 Police shall retain information received from the
22 application/record of sale provided under this subsection
23 through retention of the application/record of sale or
24 through entering the information contained in the
25 application/record of sale onto a computer.

26 * * *

27 § 6111.4. Registration of firearms.

28 [Notwithstanding any section of this chapter to the contrary,
29 nothing in this chapter shall be construed to allow any
30 government or law enforcement agency or any agent thereof to

1 create, maintain or operate any registry of firearm ownership
2 within this Commonwealth. For the purposes of this section only,
3 the term "firearm" shall include any weapon that is designed to
4 or may readily be converted to expel any projectile by the
5 action of an explosive or the frame or receiver of any such
6 weapon.] (a) General rule.--Every person who owns, possesses,

7 purchases or otherwise receives ownership of a firearm under
8 section 6111 (relating to sale or transfer of firearms), or who
9 brings or causes to be brought into this Commonwealth a firearm,
10 shall register the firearm with the Pennsylvania State Police
11 within seven days of acquisition of the firearm or within seven
12 days after the firearm is brought into this Commonwealth.

13 (b) Registration form.--

14 (1) Every person required to register a firearm under
15 this section shall submit registration on a form prescribed
16 by the Pennsylvania State Police. The registration form shall
17 be uniform throughout this Commonwealth and include the
18 following:

19 (i) The name, address, birth date, gender, race,
20 physical description and Social Security number of the
21 registrant.

22 (ii) The date of registration.

23 (iii) The caliber, length of barrel, make, model and
24 manufacturer's number of the firearm to be registered.

25 (2) Every licensed importer, licensed manufacturer or
26 licensed dealer who sells or otherwise transfers ownership or
27 possession of a firearm to a person shall provide the
28 registration form to the person receiving ownership or
29 possession of the firearm.

30 (3) The Pennsylvania State Police may retain information

1 received from the registration form through retention of the
2 registration form or through entering the information on the
3 registration form onto a computer.

4 (c) Confidentiality.--All information provided by a
5 registrant under this section, including the name or identity of
6 the potential purchaser, transferee or registrant, shall be
7 confidential and not subject to public disclosure, except as may
8 be required:

9 (1) for processing the registration;

10 (2) by a law enforcement agency for the lawful
11 performance of its duties; or

12 (3) by order of a court.

13 (d) Renewal.--Every person required to register a firearm
14 under this section shall renew the registration annually.

15 (e) Notification of changes.--The registrant shall notify
16 the Pennsylvania State Police of any changes to the information
17 provided on the registration within seven days of the change of
18 information.

19 (f) Registration fee.--The Pennsylvania State Police may
20 establish a fee by regulation to cover the reasonable and
21 necessary costs to develop and furnish the application and to
22 store the registration information required by this section.

23 (g) Penalty.--Any person who violates this section commits a
24 summary offense.

25 (h) Rules and regulations.--The Pennsylvania State Police
26 shall promulgate rules and regulations necessary to implement
27 this section, including regulations to ensure the
28 confidentiality and security of all records and data provided
29 under this section.

30 (i) Nonapplicability.--

1 (1) This section shall not apply to any of the
2 following:

3 (i) Firearms owned or possessed by a law enforcement
4 officer maintained or used in the course of the officer's
5 official duties.

6 (ii) Firearms lawfully owned, possessed or in the
7 custody of any Federal, State or local law enforcement
8 agency.

9 (iii) Firearms sold or transferred between Federal
10 firearms licensees.

11 (iv) Firearms purchased or acquired by a chief law
12 enforcement officer or the officer's designee for the
13 official use of law enforcement officers.

14 (v) Firearms owned or possessed by a corrections
15 officer in the course of the officer's official duties.

16 (vi) Firearms in the lawful possession of a private
17 security officer in the course of the officer's official
18 duties for a private security company. The firearm must
19 be registered by the private security company.

20 (vii) Firearms owned or possessed by licensed
21 manufacturers or licensed dealers, bulk transporters or
22 licensed sellers at wholesale or retail, provided that
23 such persons have obtained all licenses as required by
24 Federal, State and local laws.

25 (viii) Firearms owned or possessed by any
26 nonresident of this Commonwealth participating in any
27 lawful recreational firearm-related activity in this
28 Commonwealth or in any other jurisdiction, provided that
29 the firearm shall be disassembled in a nonfunctioning
30 state and unloaded.

1 (2) As used in this subsection, the term "chief law
2 enforcement officer" means the Commissioner of Pennsylvania
3 State Police, the chief or head of a police department, a
4 county sheriff, the chief of police for a city of the first
5 class or any equivalent law enforcement official.

6 (j) Construction.--Nothing contained in this section shall
7 be construed to make unlawful any act of a law enforcement
8 officer which is performed in the lawful performance of the law
9 enforcement officer's official duties.

10 (k) Definition.--As used in this section, the term "firearm"
11 shall mean any weapon that is designed to or may readily be
12 converted to expel any projectile by the action of an explosive
13 or the frame or receiver of such weapon. The term does not
14 include antique firearms as defined in section 6118 (relating to
15 antique firearms).

16 Section 2. This act shall take effect in 180 days.