

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 669 Session of
2025

INTRODUCED BY HAYWOOD, KANE, COMITTA, KEARNEY, TARTAGLIONE,
COSTA, SAVAL AND KIM, OCTOBER 24, 2025

REFERRED TO JUDICIARY, OCTOBER 24, 2025

AN ACT

1 Amending Titles 18 (Crimes and Offenses), 23 (Domestic
2 Relations) and 42 (Judiciary and Judicial Procedure) of the
3 Pennsylvania Consolidated Statutes, in firearms and other
4 dangerous articles, further providing for definitions, for
5 the offense of persons not to possess, use, manufacture,
6 control, sell or transfer firearms, for sale or transfer of
7 firearms, for Pennsylvania State Police, for firearm sales
8 surcharge, for Firearm Records Check Fund, for retail dealer
9 required to be licensed and for licensing of dealers and
10 providing for ammunition purchase authorization permits and
11 for transporting ammunition into this Commonwealth;
12 establishing the Ammunition Safety and Enforcement Fund; and
13 making editorial changes.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. Section 908.1(c) of Title 18 of the Pennsylvania
17 Consolidated Statutes is amended to read:

18 § 908.1. Use or possession of electric or electronic
19 incapacitation device.

20 * * *

21 (c) Prohibited possession.--No person prohibited from
22 possessing a firearm pursuant to section 6105 (relating to
23 persons not to possess, use, manufacture, control, sell or

transfer firearms and ammunition) may possess or use an electric or electronic incapacitation device.

* * *

Section 2. Section 6102 of Title 18 is amended by adding definitions to read:

§ 6102. Definitions.

Subject to additional definitions contained in subsequent provisions of this subchapter which are applicable to specific provisions of this subchapter, the following words and phrases, when used in this subchapter shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

"Ammunition." A loaded cartridge with one or more projectiles that consists of a primed case and propellant. The term does not include blanks.

* * *

"Gun range or target facility." Any of the following:

(1) An enclosed or open-air firing range or area designed and operated for the use of rifle or handgun practice with targets.

(2) A facility that permits the rental of firearms for use on the facility's property and is authorized to operate in such a manner by the governing body of the jurisdiction where the facility is located.

* * *

"Other weapon." Anything readily capable of lethal use and possessed under circumstances not manifestly lawful. The term does not include a firearm.

* * *

Section 3. Sections 6103, 6104, 6105 heading, (a), (c), (d),

(f) (1) and (h), 6105.1(a) (1), 6105.2(a) (1), 6109(d) (4) and (5) and (m.1) (1) (ii) and 6110.2(c) of Title 18 are amended to read:
§ 6103. Crimes committed with firearms.

If any person commits or attempts to commit a crime enumerated in section 6105 (relating to persons not to possess, use, manufacture, control, sell or transfer firearms and ammunition) when armed with a firearm contrary to the provisions of this subchapter, that person may, in addition to the punishment provided for the crime, also be punished as provided by this subchapter.

§ 6104. Evidence of intent.

In the trial of a person for committing or attempting to commit a crime enumerated in section 6105 (relating to persons not to possess, use, manufacture, control, sell or transfer firearms and ammunition), the fact that that person was armed with a firearm, used or attempted to be used, and had no license to carry the same, shall be evidence of that person's intention to commit the offense.

§ 6105. Persons not to possess, use, manufacture, control, sell or transfer firearms and ammunition.

(a) Offense defined.--

(1) A person who has been convicted of an offense enumerated in subsection (b), within or without this Commonwealth, regardless of the length of sentence or whose conduct meets the criteria in subsection (c) shall not possess, use, control, sell, transfer or manufacture or obtain a license to possess, use, control, sell, transfer or manufacture a firearm or ammunition in this Commonwealth.

(2) (i) Except as otherwise provided in this paragraph, a person who is prohibited from possessing, using,

1 controlling, selling, transferring or manufacturing a
2 firearm or ammunition under paragraph (1) or subsection
3 (b) or (c) shall have a reasonable period of time, not to
4 exceed 60 days from the date of the imposition of the
5 disability under this subsection, in which to sell or
6 transfer that person's firearms or ammunition to another
7 eligible person who is not a member of the prohibited
8 person's household.

9 (ii) This paragraph shall not apply to any person
10 whose disability is imposed pursuant to subsection (c)
11 (6).

12 (iii) A person whose disability is imposed pursuant
13 to subsection (c)(9) shall relinquish any firearms and
14 firearm licenses under that person's possession or
15 control, as described in section 6105.2 (relating to
16 relinquishment of firearms and firearm licenses by
17 convicted persons).

18 (iv) A person whose disability is imposed pursuant
19 to a protection from abuse order shall relinquish any
20 firearms, other weapons, ammunition and firearm licenses
21 under that person's possession or control, as described
22 in 23 Pa.C.S. § 6108(a)(7) (relating to relief).

23 * * *

24 (c) Other persons.--In addition to any person who has been
25 convicted of any offense listed under subsection (b), the
26 following persons shall be subject to the prohibition of
27 subsection (a):

28 (1) A person who is a fugitive from justice. This
29 paragraph does not apply to an individual whose fugitive
30 status is based upon a nonmoving or moving summary offense

1 under Title 75 (relating to vehicles).

2 (2) A person who has been convicted of an offense under
3 the act of April 14, 1972 (P.L.233, No.64), known as The
4 Controlled Substance, Drug, Device and Cosmetic Act, or any
5 equivalent Federal statute or equivalent statute of any other
6 state, that may be punishable by a term of imprisonment
7 exceeding two years.

8 (3) A person who has been convicted of driving under the
9 influence of alcohol or controlled substance as provided in
10 75 Pa.C.S. § 3802 (relating to driving under influence of
11 alcohol or controlled substance) or the former 75 Pa.C.S. §
12 3731, on three or more separate occasions within a five-year
13 period. For the purposes of this paragraph only, the
14 prohibition of subsection (a) shall only apply to transfers
15 or purchases of firearms or ammunition after the third
16 conviction.

17 (4) A person who has been adjudicated as an incompetent
18 or who has been involuntarily committed to a mental
19 institution for inpatient care and treatment under section
20 302, 303 or 304 of the provisions of the act of July 9, 1976
21 (P.L.817, No.143), known as the Mental Health Procedures Act.
22 This paragraph shall not apply to any proceeding under
23 section 302 of the Mental Health Procedures Act unless the
24 examining physician has issued a certification that inpatient
25 care was necessary or that the person was committable.

26 (5) A person who, being an alien, is illegally or
27 unlawfully in the United States.

28 (6) A person who is the subject of an active final
29 protection from abuse order issued pursuant to 23 Pa.C.S. §
30 6108, is the subject of any other active protection from

1 abuse order issued pursuant to 23 Pa.C.S. § 6107(b), which
2 provided for the relinquishment of firearms, other weapons or
3 ammunition during the period of time the order is in effect
4 or is otherwise prohibited from possessing or acquiring a
5 firearm under 18 U.S.C. § 922(g)(8). This prohibition shall
6 terminate upon the expiration or vacation of the order or
7 portion thereof relating to the relinquishment of firearms, or
8 other weapons or ammunition.

9 (7) A person who was adjudicated delinquent by a court
10 pursuant to 42 Pa.C.S. § 6341 (relating to adjudication) or
11 under any equivalent Federal statute or statute of any other
12 state as a result of conduct which if committed by an adult
13 would constitute an offense under sections 2502, 2503, 2702,
14 2703 (relating to assault by prisoner), 2704, 2901, 3121,
15 3123, 3301, 3502, 3701 and 3923.

16 (8) A person who was adjudicated delinquent by a court
17 pursuant to 42 Pa.C.S. § 6341 or under any equivalent Federal
18 statute or statute of any other state as a result of conduct
19 which if committed by an adult would constitute an offense
20 enumerated in subsection (b) with the exception of those
21 crimes set forth in paragraph (7). This prohibition shall
22 terminate 15 years after the last applicable delinquent
23 adjudication or upon the person reaching the age of 30,
24 whichever is earlier.

25 (9) A person who is prohibited from possessing or
26 acquiring a firearm under 18 U.S.C. § 922(g)(9). If the
27 offense which resulted in the prohibition under 18 U.S.C. §
28 922(g)(9) was committed, as provided in 18 U.S.C. § 921(a)
29 (33)(A)(ii) (relating to definitions), by a person in any of
30 the following relationships:

1 (i) the current or former spouse, parent or guardian
2 of the victim;

3 (ii) a person with whom the victim shares a child in
4 common;

5 (iii) a person who cohabits with or has cohabited
6 with the victim as a spouse, parent or guardian; or

7 (iv) a person similarly situated to a spouse, parent
8 or guardian of the victim;

9 then the relationship need not be an element of the offense
10 to meet the requirements of this paragraph.

11 (10) A person who has been convicted of an offense under
12 subsection (a.1)(2). The prohibition shall terminate five
13 years after the date of conviction, final release from
14 confinement or final release from supervision, whichever is
15 later.

16 (d) Exemption.--A person who has been convicted of a crime
17 specified in subsection (a) or (b) or a person whose conduct
18 meets the criteria in subsection (c)(1), (2), (5), (7) or (9)
19 may make application to the court of common pleas of the county
20 where the principal residence of the applicant is situated for
21 relief from the disability imposed by this section upon the
22 possession, transfer or control of a firearm and ammunition. The
23 court shall grant such relief if it determines that any of the
24 following apply:

25 (1) The conviction has been vacated under circumstances
26 where all appeals have been exhausted or where the right to
27 appeal has expired.

28 (2) The conviction has been the subject of a full pardon
29 by the Governor.

30 (3) Each of the following conditions is met:

1 (i) The Secretary of the Treasury of the United
2 States has relieved the applicant of an applicable
3 disability imposed by Federal law upon the possession,
4 ownership or control of a firearm as a result of the
5 applicant's prior conviction, except that the court may
6 waive this condition if the court determines that the
7 Congress of the United States has not appropriated
8 sufficient funds to enable the Secretary of the Treasury
9 to grant relief to applicants eligible for the relief.

10 (ii) A period of ten years, not including any time
11 spent in incarceration, has elapsed since the most recent
12 conviction of the applicant of a crime enumerated in
13 subsection (b), a felony violation of The Controlled
14 Substance, Drug, Device and Cosmetic Act or the offense
15 which resulted in the prohibition under 18 U.S.C. §
16 922(g) (9).

17 * * *

18 (f) Other exemptions and proceedings.--

19 (1) Upon application to the court of common pleas under
20 this subsection by an applicant subject to the prohibitions
21 under subsection (c) (4), the court may grant such relief as
22 it deems appropriate if the court determines that the
23 applicant may possess a firearm and ammunition without risk
24 to the applicant or any other person.

25 * * *

26 (h) License prohibition.--Any person who is prohibited from
27 possessing, using, controlling, selling, purchasing,
28 transferring or manufacturing any firearm and ammunition under
29 this section shall not be eligible for or permitted to obtain a
30 license to carry a firearm under section 6109 (relating to

1 licenses).

2 * * *

3 § 6105.1. Restoration of firearm rights for offenses under
4 prior laws of this Commonwealth.

5 (a) Restoration.--A person convicted of a disabling offense
6 may make application to the court of common pleas in the county
7 where the principal residence of the applicant is situated for
8 restoration of firearms rights. The court shall grant
9 restoration of firearms rights after a hearing in open court to
10 determine whether the requirements of this section have been met
11 unless:

12 (1) the applicant has been convicted of any other
13 offense specified in section 6105(a) or (b) (relating to
14 persons not to possess, use, manufacture, control, sell or
15 transfer firearms and ammunition) or the applicant's conduct
16 meets the criteria in section 6105(c)(1), (2), (3), (4), (5),
17 (6) or (7);

18 * * *

19 § 6105.2. Relinquishment of firearms and firearm licenses by
20 convicted persons.

21 (a) Procedure.--

22 (1) A person subject to a firearms disability pursuant
23 to section 6105(c)(9) (relating to persons not to possess,
24 use, manufacture, control, sell or transfer firearms and
25 ammunition) shall relinquish any firearms under the person's
26 possession or control to the appropriate law enforcement
27 agency of the municipality as described in subsection (b) or
28 to a dealer as described in subsection (c).

29 * * *

30 § 6109. Licenses.

1 * * *

2 (d) Sheriff to conduct investigation.--The sheriff to whom
3 the application is made shall:

4 * * *

5 (4) investigate whether the applicant would be precluded
6 from receiving a license under subsection (e)(1) or section
7 6105(h) (relating to persons not to possess, use,
8 manufacture, control, sell or transfer firearms and
9 ammunition); and

10 (5) conduct a criminal background, juvenile delinquency
11 and mental health check following the procedures set forth in
12 section 6111 (relating to sale or transfer of firearms or
13 ammunition), receive a unique approval number for that
14 inquiry and record the date and number on the application.

15 * * *

16 (m.1) Temporary emergency licenses.--

17 (1) A person seeking a temporary emergency license to
18 carry a concealed firearm shall submit to the sheriff of the
19 county in which the person resides all of the following:

20 * * *

21 (ii) A sworn affidavit that contains the information
22 required on an application for a license to carry a
23 firearm and attesting that the person is 21 years of age
24 or older, is not prohibited from owning firearms under
25 section 6105 [(relating to persons not to possess, use,
26 manufacture, control, sell or transfer firearms)] or any
27 other Federal or State law and is not currently subject
28 to a protection from abuse order or a protection order
29 issued by a court of another state.

30 * * *

1 § 6110.2. Possession of firearm with altered manufacturer's
2 number.

3 * * *

4 (c) Definition.--As used in this section, the term "firearm"
5 shall have the same meaning as that term is defined in section
6 6105(i) (relating to persons not to possess, use, manufacture,
7 control, sell or transfer firearms and ammunition), except that
8 the term shall not include antique firearms as defined in
9 section 6118 (relating to antique firearms).

10 Section 4. Section 6111 heading, (b) introductory paragraph,
11 (1.1)(v), (1.2) and (6), (c), (f), (g), (h)(1) and (j) of Title
12 18 are amended and the section is amended by adding a subsection
13 to read:

14 § 6111. Sale or transfer of firearms or ammunition.

15 * * *

16 (b) Duty of seller.--No licensed importer, licensed
17 manufacturer or licensed dealer shall sell or deliver any
18 firearm or ammunition to another person, other than a licensed
19 importer, licensed manufacturer, licensed dealer [or], licensed
20 collector, gun range or target facility or, in the case of
21 ammunition, a person who purchases or receives the ammunition at
22 a gun range or target facility if the ammunition is kept within
23 the facility's premises at all times, until the conditions of
24 subsection (a) have been satisfied and until he has:

25 * * *

26 (1.1) On the date of publication in the Pennsylvania
27 Bulletin of a notice by the Pennsylvania State Police that
28 the instantaneous records check has been implemented, all of
29 the following shall apply:

30 * * *

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

18 (1.2) Fees collected under paragraph (3) and section
19 6111.2 (relating to firearm and ammunition sales surcharge)
20 shall be transmitted to the Pennsylvania State Police within
21 14 days of collection.

22 * * *

23 (6) Unless it has been discovered pursuant to a criminal
24 history, juvenile delinquency and mental health records
25 background check that the potential purchaser or transferee
26 is prohibited from possessing a firearm and ammunition
27 pursuant to section 6105, no information received via
28 telephone following the implementation of the instantaneous
29 background check system from a purchaser or transferee who
30 has received a unique approval number shall be retained by

1 the Pennsylvania State Police.

2 * * *

3 (b.1) Remote ordering.--

4 (1) Except for the sale, delivery or transfer of
5 firearms by gun ranges or target facilities and as otherwise
6 provided in paragraph (2), the sale, delivery or transfer of
7 firearms or ammunition by a licensed importer, licensed
8 manufacturer or licensed dealer to a purchaser or transferee
9 other than another licensed importer, licensed manufacturer
10 or licensed dealer may only occur in a face-to-face
11 transaction with the licensed importer, licensed manufacturer
12 or licensed dealer being provided bona fide evidence of
13 identity from the purchaser or other transferee.

14 (2) Firearms or ammunition may be purchased over the
15 Internet or through other means of remote ordering if a
16 licensed importer, licensed manufacturer or licensed dealer
17 in this Commonwealth initially receives the firearm or
18 ammunition and processes the transfer in compliance with this
19 section.

20 (c) Duty of other persons.--Any person who is not a licensed
21 importer, manufacturer or dealer and who desires to sell or
22 transfer a firearm or ammunition to another unlicensed person
23 shall do so only upon the place of business of a licensed
24 importer, manufacturer, dealer or county sheriff's office, the
25 latter of whom shall follow the procedure set forth in this
26 section as if he were the seller of the firearm or ammunition.
27 The provisions of this section shall not apply to transfers
28 between spouses or to transfers between a parent and child or to
29 transfers between grandparent and grandchild or to transfers
30 between siblings.

1 * * *

2 (f) Application of section.--

3 (1) For the purposes of this section only, except as
4 provided by paragraph (2), "firearm" shall mean any weapon
5 which is designed to or may readily be converted to expel any
6 projectile by the action of an explosive or the frame or
7 receiver of any such weapon.

8 (2) The provisions contained in subsections (a), (b.1)
9 and (c) shall only apply to [pistols or revolvers] a firearm
10 if the firearm is a pistol or revolver with a barrel length
11 of less than 15 inches, [any] a shotgun with a barrel length
12 of less than 18 inches, [any] a rifle with a barrel length of
13 less than 16 inches or [any] a firearm with an overall length
14 of less than 26 inches.

15 (3) The provisions contained in subsection (a) shall not
16 apply to any law enforcement officer whose current
17 identification as a law enforcement officer shall be
18 construed as a valid license to carry a firearm or any person
19 who possesses a valid license to carry a firearm under
20 section 6109 (relating to licenses).

21 (4) (i) The provisions of subsection (a) shall not
22 apply to any person who presents to the seller or
23 transferor a written statement issued by the official
24 described in subparagraph (iii) during the ten-day period
25 ending on the date of the most recent proposal of such
26 transfer or sale by the transferee or purchaser stating
27 that the transferee or purchaser requires access to a
28 firearm and ammunition because of a threat to the life of
29 the transferee or purchaser or any member of the
30 household of that transferee or purchaser.

1 (ii) The issuing official shall notify the
2 applicant's local police authority that such a statement
3 has been issued. In counties of the first class the chief
4 of police shall notify the police station or substation
5 closest to the applicant's residence.

6 (iii) The statement issued under subparagraph (ii)
7 shall be issued by the district attorney, or his
8 designee, of the county of residence if the transferee or
9 purchaser resides in a municipality where there is no
10 chief of police. Otherwise, the statement shall be issued
11 by the chief of police in the municipality in which the
12 purchaser or transferee resides.

13 (g) Penalties.--

14 (1) Any person, licensed dealer, licensed manufacturer
15 or licensed importer who knowingly or intentionally sells,
16 delivers or transfers a firearm or ammunition in violation of
17 this section commits a misdemeanor of the second degree.

18 (2) Any person, licensed dealer, licensed manufacturer
19 or licensed importer who knowingly or intentionally sells,
20 delivers or transfers a firearm or ammunition under
21 circumstances intended to provide a firearm or ammunition to
22 any person, purchaser or transferee who is unqualified or
23 ineligible to control, possess or use a firearm or ammunition
24 under this chapter commits a felony of the third degree and
25 shall in addition be subject to revocation of the license to
26 sell firearms and ammunition for a period of three years.

27 (3) Any person, licensed dealer, licensed manufacturer
28 or licensed importer who knowingly and intentionally requests
29 a criminal history, juvenile delinquency or mental health
30 record check or other confidential information from the

1 Pennsylvania State Police under this chapter for any purpose
2 other than compliance with this chapter or knowingly and
3 intentionally disseminates any criminal history, juvenile
4 delinquency or mental health record or other confidential
5 information to any person other than the subject of the
6 information commits a felony of the third degree.

7 (3.1) Any person, licensed dealer, licensed manufacturer
8 or licensed importer who knowingly and intentionally obtains
9 or furnishes information collected or maintained pursuant to
10 section 6109 for any purpose other than compliance with this
11 chapter or who knowingly or intentionally disseminates,
12 publishes or otherwise makes available such information to
13 any person other than the subject of the information commits
14 a felony of the third degree.

15 (4) Any person, purchaser or transferee commits a felony
16 of the third degree if, in connection with the purchase,
17 delivery or transfer of a firearm or ammunition under this
18 chapter, he knowingly and intentionally:

19 (i) makes any materially false oral statement;

20 (ii) makes any materially false written statement,
21 including a statement on any form promulgated by Federal
22 or State agencies; or

23 (iii) willfully furnishes or exhibits any false
24 identification intended or likely to deceive the seller,
25 licensed dealer or licensed manufacturer.

26 (5) Notwithstanding section 306 (relating to liability
27 for conduct of another; complicity) or any other statute to
28 the contrary, any person, licensed importer, licensed dealer
29 or licensed manufacturer who knowingly and intentionally
30 sells, delivers or transfers a firearm or ammunition in

1 violation of this chapter who has reason to believe that the
2 firearm or ammunition is intended to be used in the
3 commission of a crime or attempt to commit a crime shall be
4 criminally liable for such crime or attempted crime.

5 (6) Notwithstanding any act or statute to the contrary,
6 any person, licensed importer, licensed manufacturer or
7 licensed dealer who knowingly and intentionally sells or
8 delivers a firearm or ammunition in violation of this chapter
9 who has reason to believe that the firearm or ammunition is
10 intended to be used in the commission of a crime or attempt
11 to commit a crime shall be liable in the amount of the civil
12 judgment for injuries suffered by any person so injured by
13 such crime or attempted crime.

14 (h) Subsequent violation penalty.--

15 (1) A second or subsequent violation of this section
16 shall be a felony of the second degree. A person who at the
17 time of sentencing has been convicted of another offense
18 under this section shall be sentenced to a mandatory minimum
19 sentence of imprisonment of five years. A second or
20 subsequent offense shall also result in permanent revocation
21 of any license to sell, import or manufacture a firearm and
22 ammunition.

23 * * *

24 (j) Exemption.--

25 (1) The provisions of subsections (a) and (b) shall not
26 apply to:

27 (i) sales between Federal firearms licensees; or

28 (ii) the purchase of firearms or ammunition by a
29 chief law enforcement officer or his designee, for the
30 official use of law enforcement officers.

1 (2) For the purposes of this subsection, the term "chief
2 law enforcement officer" shall include the Commissioner of
3 the Pennsylvania State Police, the chief or head of a police
4 department, a county sheriff or any equivalent law
5 enforcement official.

6 Section 5. Sections 6111.1(b), (e)(1), (f)(1), (i), (j.3)
7 and (k), 6111.2 heading, (a) and (c), 6111.3, 6112, 6113(a),
8 6115(b)(1)(iv)(B)(II), 6117(a) and 6118(b) of Title 18 are
9 amended to read:

10 § 6111.1. Pennsylvania State Police.

11 * * *

12 (b) Duty of Pennsylvania State Police.--

13 (1) Upon receipt of a request for a criminal history,
14 juvenile delinquency history and mental health record check
15 of the potential purchaser or transferee, the Pennsylvania
16 State Police shall immediately during the licensee's call or
17 by return call forthwith:

18 (i) review the Pennsylvania State Police criminal
19 history and fingerprint records to determine if the
20 potential purchaser or transferee is prohibited from
21 receipt or possession of a firearm or ammunition under
22 Federal or State law;

23 (ii) review the juvenile delinquency and mental
24 health records of the Pennsylvania State Police to
25 determine whether the potential purchaser or transferee
26 is prohibited from receipt or possession of a firearm or
27 ammunition under Federal or State law; and

28 (iii) inform the licensee making the inquiry either:

29 (A) that the potential purchase or transfer is
30 prohibited; or

1 (B) provide the licensee with a unique approval
2 number.

3 (2) In the event of electronic failure, scheduled
4 computer downtime or similar event beyond the control of the
5 Pennsylvania State Police, the Pennsylvania State Police
6 shall immediately notify the requesting licensee of the
7 reason for and estimated length of the delay. If the failure
8 or event lasts for a period exceeding 48 hours, the dealer
9 shall not be subject to any penalty for completing a
10 transaction absent the completion of an instantaneous records
11 check for the remainder of the failure or similar event, but
12 the dealer shall obtain a completed application/record of
13 sale following the provisions of section 6111(b)(1) and (1.1)
14 (relating to sale or transfer of firearms or ammunition) as
15 if an instantaneous records check has not been established
16 for any sale or transfer of a firearm or ammunition for the
17 purpose of a subsequent background check.

18 (3) The Pennsylvania State Police shall fully comply,
19 execute and enforce the directives of this section as
20 follows:

21 (i) The instantaneous background check for firearms
22 as defined in section 6102 (relating to definitions)
23 shall begin on July 1, 1998.

24 (ii) The instantaneous background check for firearms
25 that exceed the barrel lengths set forth in section 6102
26 shall begin on the later of:

27 (A) the date of publication of the notice under
28 section 6111(a)(2); or

29 (B) December 31, 1998.

30 (4) The Pennsylvania State Police and any local law

1 enforcement agency shall make all reasonable efforts to
2 determine the lawful owner of any firearm confiscated or
3 recovered by the Pennsylvania State Police or any local law
4 enforcement agency and return said firearm to its lawful
5 owner if the owner is not otherwise prohibited from
6 possessing the firearm. When a court of law has determined
7 that the Pennsylvania State Police or any local law
8 enforcement agency have failed to exercise the duty under
9 this subsection, reasonable attorney fees shall be awarded to
10 any lawful owner of said firearm who has sought judicial
11 enforcement of this subsection.

12 * * *

13 (e) Challenge to records.--

14 (1) Any person who is denied the right to receive, sell,
15 transfer, possess, carry, manufacture or purchase a firearm
16 or ammunition as a result of the procedures established by
17 this section may challenge the accuracy of that person's
18 criminal history, juvenile delinquency history or mental
19 health record pursuant to a denial by the instantaneous
20 records check by submitting a challenge to the Pennsylvania
21 State Police within 30 days from the date of the denial.

22 * * *

23 (f) Notification of mental health adjudication, treatment,
24 commitment, drug use or addiction.--

25 (1) Notwithstanding any statute to the contrary, judges
26 of the courts of common pleas shall notify the Pennsylvania
27 State Police, on a form developed by the Pennsylvania State
28 Police, of:

29 (i) the identity of any individual who has been
30 adjudicated as an incompetent or as a mental defective or

1 who has been involuntarily committed to a mental
2 institution under the act of July 9, 1976 (P.L.817,
3 No.143), known as the Mental Health Procedures Act, or
4 who has been involuntarily treated as described in
5 section 6105(c)(4) (relating to persons not to possess,
6 use, manufacture, control, sell or transfer firearms and
7 ammunition) or as described in 18 U.S.C. § 922(g)(4)
8 (relating to unlawful acts) and its implementing Federal
9 regulations; and

10 (ii) any finding of fact or court order related to
11 any person described in 18 U.S.C. § 922(g)(3).

12 * * *

13 (i) Reports.--The Pennsylvania State Police shall annually
14 compile and report to the General Assembly, on or before
15 December 31, the following information for the previous year:

16 (1) number of firearm and ammunition sales, including
17 the types of firearms and ammunition, delineated in a
18 separate manner;

19 (2) number of applications for sale of firearms and
20 ammunition denied, number of challenges of the denials and
21 number of final reversals of initial denials, delineated in a
22 separate manner;

23 (3) summary of the Pennsylvania State Police's
24 activities, including the average time taken to complete a
25 criminal history, juvenile delinquency history or mental
26 health record check; and

27 (4) uniform crime reporting statistics compiled by the
28 Pennsylvania State Police based on the National Incident-
29 based Reporting System.

30 * * *

(j.3) Immunity.--The Pennsylvania State Police and its employees shall be immune from actions for damages for the use of a firearm or ammunition by a purchaser or for the unlawful transfer of a firearm or ammunition by a dealer unless the act of the Pennsylvania State Police or its employees constitutes a crime, actual fraud, actual malice or willful misconduct.

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

"Firearm." The term shall have the same meaning as in section 6111.2 (relating to firearm and ammunition sales surcharge).

"Physician." Any licensed psychiatrist or clinical psychologist as defined in the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act.

§ 6111.2. Firearm and ammunition sales surcharge.

(a) Surcharge imposed.--There is hereby imposed on each sale of a firearm or ammunition subject to tax under Article II of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, an additional surcharge of \$3. This shall be referred to as the Firearm and Ammunition Sale Surcharge. All moneys received from this surcharge shall be deposited in the Firearm [Instant] Records Check Fund.

* * *

(c) Revenue sources.--Funds received under the provisions of this section and section 6111(b)(3) (relating to sale or transfer of firearms or ammunition), as estimated and certified by the Secretary of Revenue, shall be deposited within five days of the end of each quarter into the fund.

* * *

1 § 6111.3. Firearm Records Check Fund.

2 (a) Establishment.--The Firearm Records Check Fund is hereby
3 established as a restricted account in the State Treasury,
4 separate and apart from all other public money or funds of the
5 Commonwealth, to be appropriated annually by the General
6 Assembly, for use in carrying out the provisions of section 6111
7 (relating to [firearm ownership] sale or transfer of firearms or
8 ammunition). The moneys in the fund on June 1, 1998, are hereby
9 appropriated to the Pennsylvania State Police.

10 (b) Source.--The source of the fund shall be moneys
11 collected and transferred under section 6111.2 (relating to
12 firearm and ammunition sales surcharge) and moneys collected and
13 transferred under section 6111(b)(3).

14 § 6112. Retail dealer required to be licensed.

15 No retail dealer shall sell, or otherwise transfer or expose
16 for sale or transfer, or have in his possession with intent to
17 sell or transfer, any ammunition or any firearm as defined in
18 section 6113(d) (relating to licensing of dealers) without being
19 licensed as provided in this chapter.

20 § 6113. Licensing of dealers.

21 (a) General rule.--The chief or head of any police force or
22 police department of a city, and, elsewhere, the sheriff of the
23 county, shall grant to reputable applicants licenses, in form
24 prescribed by the Pennsylvania State Police, effective for three
25 years from date of issue, permitting the licensee to sell
26 firearms, ammunition, or both, direct to the consumer, subject
27 to the following conditions in addition to those specified in
28 section 6111 (relating to sale or transfer of firearms or
29 ammunition), for breach of any of which the license shall be
30 forfeited and the licensee subject to punishment as provided in

1 this subchapter:

2 (1) The business shall be carried on only upon the
3 premises designated in the license or at a lawful gun show or
4 meet.

5 (2) The license, or a copy thereof, certified by the
6 issuing authority, shall be displayed on the premises where
7 it can easily be read.

8 (3) No firearm or ammunition shall be sold in violation
9 of any provision of this subchapter.

10 (4) No firearm or ammunition shall be sold under any
11 circumstances unless the purchaser is personally known to the
12 seller or shall present clear evidence of the purchaser's
13 identity.

14 (5) A true record in triplicate shall be made of every
15 firearm or ammunition sold, in a book kept for the purpose,
16 the form of which may be prescribed by the Pennsylvania State
17 Police, and shall be personally signed by the purchaser and
18 by the person effecting the sale, each in the presence of the
19 other, and shall contain the information required by section
20 6111. The record shall be maintained by the licensee for a
21 period of 20 years.

22 (6) No firearm as defined in section 6102 (relating to
23 definitions) or ammunition shall be displayed in any part of
24 any premises where it can readily be seen from the outside.
25 In the event that the Commissioner of the Pennsylvania State
26 Police shall find a clear and present danger to public safety
27 within this Commonwealth or any area thereof, firearms and
28 ammunition shall be stored and safeguarded pursuant to
29 regulations to be established by the Pennsylvania State
30 Police by the licensee during the hours when the licensee is

1 closed for business.

2 (7) The dealer shall possess all applicable current
3 revenue licenses.

4 * * *

5 § 6115. Loans on, or lending or giving firearms prohibited.

6 * * *

7 (b) Exception.--

8 (1) Subsection (a) shall not apply if any of the
9 following apply:

10 * * *

11 (iv) The person who receives the firearm meets all
12 of the following:

13 * * *

14 (B) Pursuant to section 6110.1 (relating to
15 possession of firearm by minor) is under the
16 supervision, guidance and instruction of a
17 responsible individual who:

18 * * *

19 (II) is not prohibited from owning or
20 possessing a firearm under section 6105 (relating
21 to persons not to possess, use, manufacture,
22 control, sell or transfer firearms and
23 ammunition).

24 * * *

25 § 6117. Altering or obliterating marks of identification.

26 (a) Offense defined.--No person shall change, alter, remove,
27 or obliterate the manufacturer's number integral to the frame or
28 receiver of any firearm which shall have the same meaning as
29 provided in section 6105 (relating to persons not to possess,
30 use, manufacture, control, sell or transfer firearms and

1 ammunition).

2 * * *

3 § 6118. Antique firearms.

4 * * *

5 (b) Exception.--Subsection (a) shall not apply to the extent
6 that such antique firearms, reproductions or replicas of
7 firearms are concealed weapons as provided in section 6106
8 (relating to firearms not be carried without a license), nor
9 shall it apply to the provisions of section 6105 (relating to
10 persons not to possess, use, manufacture, control, sell or
11 transfer firearms and ammunition) if such antique firearms,
12 reproductions or replicas of firearms are suitable for use.

13 * * *

14 Section 6. Title 18 is amended by adding sections to read:

15 § 6121.1. Ammunition purchase authorization permits.

16 (a) Use.--A person holding an ammunition purchase
17 authorization permit issued under this section may purchase or
18 otherwise seek the transfer of ownership of ammunition from a
19 retailer that sells ammunition.

20 (b) Validity.--Except as provided under subsection (c), an
21 ammunition purchase authorization permit shall be valid for four
22 years from the date of issuance.

23 (c) Eligibility.--The Pennsylvania State Police shall issue
24 an ammunition purchase authorization permit to a person if all
25 of the following requirements are met:

26 (1) The person submits an application for an ammunition
27 purchase authorization permit as prescribed by the
28 Pennsylvania State Police.

29 (2) The person is 18 years of age or older.

30 (3) The person is not prohibited from acquiring or

1 possessing ammunition under Federal or State law.

2 (4) The person pays the fee as specified under
3 subsection (g).

4 (d) Approval process.--

5 (1) Upon receipt of an application for an ammunition
6 purchase authorization permit, the Pennsylvania State Police
7 shall examine its records and the Pennsylvania Instant Check
8 System in order to determine if the applicant is prohibited
9 from possessing or acquiring ammunition under Federal or
10 State law.

11 (2) The applicant shall be approved or denied within 30
12 days of the date of the submission of the application to the
13 department.

14 (3) If the Pennsylvania State Police is unable to make a
15 determination under paragraph (2) within 30 days, the
16 Pennsylvania State Police shall issue the ammunition purchase
17 authorization permit.

18 (4) The Pennsylvania State Police shall renew an
19 ammunition purchase authorization permit before its
20 expiration if the Pennsylvania State Police determines that
21 the holder is not prohibited from acquiring or possessing
22 ammunition under Federal or State law and pays the fee as
23 specified under subsection (g).

24 (e) Revocation.--

25 (1) An ammunition purchase authorization permit shall be
26 revoked by the Pennsylvania State Police if the holder of the
27 ammunition purchase authorization commits an act that would
28 have disqualified the holder from being issued the ammunition
29 purchase authorization permit under this section.

30 (2) If an ammunition purchase authorization permit is

1 revoked under paragraph (1), the Pennsylvania State Police
2 shall, upon the written request of the holder and in a manner
3 as prescribed by the Pennsylvania State Police, provide the
4 holder with the reasons for the revocation and the process to
5 appeal the revocation.

6 (f) List.--

7 (1) The Pennsylvania State Police shall create and
8 maintain an internal centralized list of all persons who hold
9 an ammunition purchase authorization permit.

10 (2) The Pennsylvania State Police shall remove a person
11 from the list under paragraph (1) whose authorization has
12 been revoked by the Pennsylvania State Police under
13 subsection (e)(1).

14 (3) The Pennsylvania State Police shall provide access
15 to the list under paragraph (1) to the following:

16 (i) Retailers that sell or otherwise seek the
17 transfer of ownership of ammunition.

18 (ii) Law enforcement agencies for purposes of
19 enforcing the law.

20 (g) Fee.--

21 (1) The Pennsylvania State Police may charge a fee not
22 to exceed \$50 for the issuance or renewal of an ammunition
23 purchase authorization permit under this section. The fee
24 shall not be greater than the amount necessary to recover the
25 reasonable, estimated costs to administer this section.

26 (2) The Pennsylvania State Police shall annually review
27 and may adjust the fee under paragraph (1) for inflation.

28 (h) Fund established.--The Ammunition Safety and Enforcement
29 Fund is established within the State Treasury. Revenue collected
30 from the fee charged under subsection (g) shall be deposited

1 into the Ammunition Safety and Enforcement Fund on a continuing
2 basis for the purpose of administering this section.

3 (i) Identification.--The ammunition purchase authorization
4 permit number shall be the same as the number on the document
5 presented by the applicant as bona fide evidence of identity.

6 (j) Regulations.--The Pennsylvania State Police may
7 promulgate regulations necessary to implement the provisions of
8 this section.

9 § 6121.2. Transporting ammunition into this Commonwealth.

10 (a) Prohibition.--A resident of this Commonwealth may not
11 transport ammunition into this Commonwealth if the resident
12 purchased or otherwise obtained the ammunition from outside of
13 this Commonwealth and the ammunition has not been delivered to a
14 licensed importer, licensed manufacturer or licensed dealer in
15 this Commonwealth for delivery to the resident in accordance
16 with section 6121.1 (relating to ammunition purchase
17 authorization permits).

18 (b) Applicability.--This section shall not apply to a
19 licensed importer, licensed manufacturer, licensed dealer, law
20 enforcement agency or law enforcement officer or a grandparent,
21 spouse, sibling, child or grandchild of the transferor.

22 Section 7. Sections 6123 and 6301(a)(2) of Title 18 are
23 amended to read:

24 § 6123. Waiver of disability or pardons.

25 A waiver of disability from Federal authorities as provided
26 for in 18 U.S.C. § 925 (relating to exceptions; relief from
27 disabilities), a full pardon from the Governor or an overturning
28 of a conviction shall remove any corresponding disability under
29 this subchapter except the disability under section 6105
30 (relating to persons not to possess, use, manufacture, control,

1 sell or transfer firearms and ammunition).

2 § 6301. Corruption of minors.

3 (a) Offense defined.--

4 * * *

5 (2) Any person who knowingly aids, abets, entices or
6 encourages a minor younger than 18 years of age to commit
7 truancy commits a summary offense. Any person who violates
8 this paragraph within one year of the date of a first
9 conviction under this section commits a misdemeanor of the
10 third degree. A conviction under this paragraph shall not,
11 however, constitute a prohibition under section 6105
12 (relating to persons not to possess, use, manufacture,
13 control, sell or transfer firearms and ammunition).

14 * * *

15 Section 8. The definition of "firearm" in section 6102(a) of
16 Title 23 is amended to read:

17 § 6102. Definitions.

18 (a) General rule.--The following words and phrases when used
19 in this chapter shall have the meanings given to them in this
20 section unless the context clearly indicates otherwise:

21 * * *

22 "Firearm." Any weapon which is designed to or may readily be
23 converted to expel any projectile by the action of an explosive
24 or the frame or receiver of any such weapon as defined by 18
25 Pa.C.S. § 6105(i) (relating to persons not to possess, use,
26 manufacture, control, sell or transfer firearms and ammunition).

27 * * *

28 Section 9. Sections 6107(a), 6108(a)(7)(ii), 6108.3(b)(3)(i)
29 (F) and (ii)(F) and 6119(b) of Title 23 are amended to read:

30 § 6107. Hearings.

1 (a) General rule.--Within ten business days of the filing of
2 a petition under this chapter, a hearing shall be held before
3 the court, at which the plaintiff must prove the allegation of
4 abuse by a preponderance of the evidence. The court shall, at
5 the time the defendant is given notice of the hearing, advise
6 the defendant of the right to be represented by counsel, of the
7 right to present evidence, of the right to compel attendance of
8 witnesses, of the method by which witnesses may be compelled, of
9 the possibility that any firearm, other weapon or ammunition
10 owned and any firearm license possessed may be ordered
11 temporarily relinquished, of the options for relinquishment of a
12 firearm pursuant to this chapter, of the possibility that
13 Federal or State law may prohibit the possession of firearms,
14 including an explanation of 18 U.S.C. § 922(g)(8) (relating to
15 unlawful acts) and 18 Pa.C.S. § 6105 (relating to persons not to
16 possess, use, manufacture, control, sell or transfer firearms
17 and ammunition), and that any protection order granted by a
18 court may be considered in any subsequent proceedings under this
19 title. This notice shall be printed and delivered in a manner
20 which easily attracts attention to its content and shall specify
21 that child custody is one of the proceedings where prior
22 protection orders may be considered.

23 * * *

24 § 6108. Relief.

25 (a) General rule.--Subject to subsection (a.1), the court
26 may grant any protection order or approve any consent agreement
27 to bring about a cessation of abuse of the plaintiff or minor
28 children. The order or agreement may include:

29 * * *

30 (7) Prohibiting the defendant from acquiring or

1 possessing any firearm for the duration of the order,
2 ordering the defendant to temporarily relinquish to the
3 sheriff or the appropriate law enforcement agency any
4 firearms under the defendant's possession or control, and
5 requiring the defendant to relinquish to the sheriff or the
6 appropriate law enforcement agency any firearm license issued
7 under section 6108.3 (relating to relinquishment to third
8 party for safekeeping) or 18 Pa.C.S. § 6106 (relating to
9 firearms not to be carried without a license) or 6109
10 (relating to licenses) the defendant may possess. The court
11 may also order the defendant to relinquish the defendant's
12 other weapons or ammunition that have been used or been
13 threatened to be used in an incident of abuse against the
14 plaintiff or the minor children. A copy of the court's order
15 shall be transmitted to the chief or head of the appropriate
16 law enforcement agency and to the sheriff of the county of
17 which the defendant is a resident. When relinquishment is
18 ordered, the following shall apply:

19 * * *

20 (ii) The court's order shall contain a list of any
21 firearm, other weapon or ammunition ordered relinquished.
22 Upon the entry of a final order, the defendant shall
23 inform the court in what manner the defendant is going to
24 relinquish any firearm, other weapon or ammunition
25 ordered relinquished. Relinquishment may occur pursuant
26 to section 6108.2 (relating to relinquishment for
27 consignment sale, lawful transfer or safekeeping) or
28 6108.3 or to the sheriff or the appropriate law
29 enforcement agency pursuant to this paragraph. Where the
30 sheriff or the appropriate law enforcement agency is

1 designated, the sheriff or the appropriate law
2 enforcement agency shall secure custody of the
3 defendant's firearms, other weapons or ammunition and any
4 firearm license listed in the court's order for the
5 duration of the order or until otherwise directed by
6 court order. In securing custody of the defendant's
7 relinquished firearms, the sheriff or the appropriate law
8 enforcement agency shall comply with 18 Pa.C.S. § 6105(f)
9 (4) (relating to persons not to possess, use,
10 manufacture, control, sell or transfer firearms and
11 ammunition). In securing custody of the defendant's other
12 weapons and ammunition, the sheriff or the appropriate
13 law enforcement agency shall provide the defendant with a
14 signed and dated written receipt which shall include a
15 detailed description of the other weapon or ammunition
16 and its condition. The court shall inform the defendant
17 that firearms, other weapons or ammunition shall be
18 deemed abandoned when the conditions under 18 Pa.C.S. §
19 6128(a) (relating to abandonment of firearms, weapons or
20 ammunition) are satisfied and may then be disposed of in
21 accordance with 18 Pa.C.S. § 6128.

22 * * *

23 § 6108.3. Relinquishment to third party for safekeeping.

24 * * *

25 (b) Transfer to third party.--

26 * * *

27 (3) (i) A defendant wishing to relinquish firearms,
28 other weapons or ammunition to a third party pursuant to
29 subsection (a) shall, in the presence of the sheriff or
30 the sheriff's designee, execute an affidavit on a form

1 prescribed by the Pennsylvania State Police which shall
2 include, at a minimum, the following:

3 * * *

4 (F) A plain-language summary of 18 Pa.C.S. §
5 6105(a.1)(2) and (c)(6) (relating to persons not to
6 possess, use, manufacture, control, sell or transfer
7 firearms and ammunition).

8 * * *

9 (ii) A third party who will be accepting possession
10 of firearms, other weapons and ammunition pursuant to
11 subsection (a) shall, in the presence of the sheriff or
12 the sheriff's designee, execute an affidavit on a form
13 prescribed by the Pennsylvania State Police which shall
14 include, at a minimum, the following:

15 * * *

16 (F) A plain-language summary of 18 Pa.C.S. §§
17 6105(a.1)(5) and (c)(6), 6111(c) (relating to sale or
18 transfer of firearms or ammunition) and 6115
19 (relating to loans on, or lending or giving firearms
20 prohibited).

21 * * *

22 § 6119. Immunity.

23 * * *

24 (b) Exception.--Law enforcement agencies and their
25 employees, including police officers and sheriffs, shall be
26 liable to the lawful owner of confiscated, seized or
27 relinquished firearms in accordance with 18 Pa.C.S. § 6105(f)
28 (relating to persons not to possess, use, manufacture, control,
29 sell or transfer firearms and ammunition) and shall be liable to
30 the lawful owner of confiscated, seized or relinquished other

1 weapons or ammunition for any loss, damage or substantial
2 decrease in the value of the other weapons or ammunition that is
3 a direct result of a lack of reasonable care by the law
4 enforcement agency or its employees.

5 Section 10. Sections 5552(b)(1), 5802(7) and 6308(d)(1)(i)
6 of Title 42 are amended to read:

7 § 5552. Other offenses.

8 * * *

9 (b) Major offenses.--A prosecution for any of the following
10 offenses must be commenced within five years after it is
11 committed:

12 (1) Under the following provisions of Title 18 (relating
13 to crimes and offenses):

14 Section 901 (relating to criminal attempt) involving
15 attempt to commit murder where no murder occurs.

16 Section 902 (relating to criminal solicitation)
17 involving solicitation to commit murder where no murder
18 occurs.

19 Section 903 (relating to criminal conspiracy)
20 involving conspiracy to commit murder where no murder
21 occurs.

22 Section 911 (relating to corrupt organizations).

23 Section 2702 (relating to aggravated assault).

24 Section 2706 (relating to terroristic threats).

25 Section 2713 (relating to neglect of care-dependent
26 person).

27 Section 2901 (relating to kidnapping).

28 Section 3301 (relating to arson and related
29 offenses).

30 Section 3502 (relating to burglary).

1 Section 3701 (relating to robbery).

2 Section 3921 (relating to theft by unlawful taking or
3 disposition) through section 3933 (relating to unlawful
4 use of computer).

5 Section 4101 (relating to forgery).

6 Section 4107 (relating to deceptive or fraudulent
7 business practices).

8 Section 4108 (relating to commercial bribery and
9 breach of duty to act disinterestedly).

10 Section 4109 (relating to rigging publicly exhibited
11 contest).

12 Section 4117 (relating to insurance fraud).

13 Section 4701 (relating to bribery in official and
14 political matters) through section 4703 (relating to
15 retaliation for past official action).

16 Section 4902 (relating to perjury) through section
17 4912 (relating to impersonating a public servant).

18 Section 4952 (relating to intimidation of witnesses
19 or victims).

20 Section 4953 (relating to retaliation against
21 witness, victim or party).

22 Section 5101 (relating to obstructing administration
23 of law or other governmental function).

24 Section 5111 (relating to dealing in proceeds of
25 unlawful activities).

26 Section 5512 (relating to lotteries, etc.) through
27 section 5514 (relating to pool selling and bookmaking).

28 Section 5902(b) (relating to prostitution and related
29 offenses).

30 Section 6111(g)(2) and (4) (relating to sale or

1 transfer of firearms or ammunition).

2 * * *

3 § 5802. Controlled substances forfeiture.

4 The following shall be subject to forfeiture to the
5 Commonwealth and no property right shall exist in them:

6 * * *

7 (7) Any firearms, including, but not limited to, rifles,
8 shotguns, pistols, revolvers, machine guns, zip guns or any
9 type of prohibited offensive weapon, as that term is defined
10 in 18 Pa.C.S. § 6105 (relating to persons not to possess,
11 use, manufacture, control, sell or transfer firearms and
12 ammunition), which are used or intended for use to facilitate
13 a violation of The Controlled Substance, Drug, Device and
14 Cosmetic Act. Firearms as are found in close proximity to
15 illegally possessed controlled substances shall be rebuttably
16 presumed to be used or intended for use to facilitate a
17 violation of The Controlled Substance, Drug, Device and
18 Cosmetic Act. All weapons forfeited under this chapter shall
19 be immediately destroyed by the receiving law enforcement
20 agency.

21 § 6308. Law enforcement records.

22 * * *

23 (d) Pennsylvania State Police registry.--

24 (1) The contents of law enforcement records and files
25 concerning a child shall not be disclosed to the public
26 except if the child is 14 years of age or older at the time
27 of the alleged conduct and if any of the following apply:

28 (i) The child has been adjudicated delinquent by a
29 court as a result of any offense enumerated in 18 Pa.C.S.
30 § 6105 (relating to persons not to possess, use,

1 manufacture, control, sell or transfer firearms and
2 ammunition).

3 * * *

4 Section 11. This act shall take effect July 1, 2026, or
5 immediately, whichever is later.