
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2831 Session of
2022

INTRODUCED BY SOLOMON, SCHLOSSBERG, MADDEN, FREEMAN, SANCHEZ,
PASHINSKI, ISAACSON, HILL-EVANS, VITALI, FITZGERALD, HOWARD
AND KINKEAD, SEPTEMBER 16, 2022

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 16, 2022

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in firearms and other dangerous
3 articles, providing for gun violence task forces.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 6129. Gun violence task forces.

9 (a) Establishment.--

10 (1) A gun violence task force is established in each
11 county which exceeds the age-adjusted, firearm-related death
12 rate per 100,000 goal contained in the United States
13 Department of Health and Human Services Healthy People 2030
14 initiative.

15 (2) A county in which a gun violence task force is not
16 established under paragraph (1) may establish a gun violence
17 task force.

18 (3) A gun violence task force shall be under the

1 authority of the Attorney General.

2 (b) Powers and duties.--

3 (1) A gun violence task force shall investigate and
4 prosecute violations of sections 6105 (relating to persons
5 not to possess, use, manufacture, control, sell or transfer
6 firearms) and 6111 (relating to sale or transfer of
7 firearms), and similar offenses under Federal law, in a
8 county.

9 (2) A gun violence task force shall initiate
10 prosecutions in a court of competent jurisdiction.

11 (3) A gun violence task force may utilize investigatory
12 teams under subsection (e).

13 (c) Composition.--

14 (1) A gun violence task force shall include, at a
15 minimum:

16 (i) The Attorney General or deputy attorneys
17 general.

18 (ii) Members of the office of the district attorney
19 in a county.

20 (iii) Law enforcement officers of the Attorney
21 General.

22 (iv) Law enforcement officers of a county.

23 (v) Law enforcement officers of the Pennsylvania
24 State Police.

25 (2) A gun violence task force may include, as determined
26 by the Attorney General:

27 (i) Federal law enforcement officers.

28 (ii) Other Commonwealth law enforcement officers
29 located in a county.

30 (iii) Other local law enforcement officers located

1 in a county.

2 (iv) Campus police officers located in a county.

3 (v) Transit agency police officers located in a
4 county.

5 (vi) Representatives of key stakeholders in
6 communities that are experiencing high and increasing
7 rates of gun violence.

8 (vii) Faith leaders that work with communities
9 experiencing high rates of gun violence.

10 (viii) A community relations officer that is from a
11 community experiencing high rates of gun violence.

12 (ix) A victim of crime that works in neighborhoods
13 experiencing high rates of gun violence.

14 (x) An expert in preventive crime measures who has
15 advised on crime-reduction techniques.

16 (d) Funding.--A gun violence task force shall be funded from
17 annual General Fund appropriations. Funding shall be under the
18 control of the Attorney General.

19 (e) Investigatory teams.--The Attorney General may empanel
20 individualized investigatory teams that work in conjunction with
21 and under the purview of a gun violence task force.

22 (f) Notice.--Each law enforcement agency that is a member of
23 a gun violence task force shall notify the gun violence task
24 force of any arrest or other criminal action or proceeding
25 involving an alleged violation of section 6105 or 6111 within 48
26 hours of the arrest or of instituting the action or proceeding.

27 (g) Preemptive jurisdiction over certain offenses.--

28 (1) The Attorney General may assert preemptive
29 prosecutorial jurisdiction over any criminal actions or
30 proceedings, including proceedings for the forfeiture or

1 condemnation of property under 42 Pa.C.S. Ch. 58 (relating to
2 forfeiture of assets), for which the Attorney General has
3 jurisdiction under section 6105 or 6111.

4 (2) Any assertion of preemptive prosecutorial
5 jurisdiction under this subsection shall be within the sole
6 discretion of the Attorney General, who shall consider the
7 totality of the circumstances in deciding whether to assert
8 that jurisdiction, including:

9 (i) Whether the alleged violation of section 6105 or
10 6111 is the lead charge and the severity of any other
11 offense charged in conjunction with the alleged violation
12 of section 6105 or 6111.

13 (ii) The criminal history record information of the
14 alleged offender, including whether the offender was
15 previously convicted of an offense under this chapter.

16 (iii) Whether a gun violence task force was involved
17 in the investigation of the alleged violation of section
18 6105 or 6111.

19 (iv) Whether a gun violence task force has
20 sufficient resources to prosecute the alleged offender.

21 (v) Whether the alleged offender utilized a firearm
22 during the commission of a felony.

23 (vi) Whether the alleged offender is involved or
24 associated with the sale, manufacture, distribution or
25 delivery of any controlled substance or counterfeit
26 controlled substance in violation of the act of April 14,
27 1972 (P.L.233, No.64), known as The Controlled Substance,
28 Drug, Device and Cosmetic Act.

29 (vii) The impact of the alleged offense on the
30 victim or the community.

1 (viii) Whether the alleged offender's commission of
2 the offense violated the terms and conditions of a
3 sentence or bail bond.

4 (ix) Any other relevant or aggravating circumstances
5 that would tend to support the assertion of preemptive
6 prosecutorial jurisdiction.

7 (3) The Attorney General may not assert preemptive
8 prosecutorial jurisdiction under this subsection if the
9 offender unlawfully possessed a firearm during the commission
10 of murder of the first degree or second degree or a crime of
11 violence, as that term is defined in 42 Pa.C.S. § 9714(g)
12 (relating to sentences for second and subsequent offenses),
13 unless upon written request by the district attorney of a
14 county.

15 (4) In cases in which the Attorney General asserts
16 preemptive prosecutorial jurisdiction under this subsection,
17 no other prosecuting entity for the Commonwealth shall have
18 authority to act, except as authorized by the Attorney
19 General. No person shall have standing to challenge the
20 authority of the Attorney General to prosecute the cases,
21 and, if any challenge is made, the challenge shall be
22 dismissed and no relief shall be available in the courts of
23 this Commonwealth to the entity making the challenge.

24 (5) Any grant of jurisdiction to the Attorney General
25 under section 6105 or 6111 shall be exclusive to a gun
26 violence task force.

27 (6) The provisions of this subsection shall expire
28 December 31, 2025.

29 (h) Annual reports.--

30 (1) By October 1 of each year, the Attorney General

1 shall make an annual report on the operation of gun violence
2 task forces to:

3 (i) The chairperson and minority chairperson of the
4 Appropriations Committee of the Senate.

5 (ii) The chairperson and minority chairperson of the
6 Appropriations Committee of the House of Representatives.

7 (iii) The chairperson and minority chairperson of
8 the Judiciary Committee of the Senate.

9 (iv) The chairperson and minority chairperson of the
10 Judiciary Committee of the House of Representatives.

11 (2) Each report under this subsection shall contain the
12 following information for the previous fiscal year regarding
13 each gun violence task force:

14 (i) The number of members, per agency, serving on
15 the gun violence task force.

16 (ii) The total number of arrests in a county for
17 alleged violations of section 6105 or 6111, including
18 separately the total number of arrests by the gun
19 violence task force.

20 (iii) The total number of bills of information filed
21 for alleged violations of section 6105 or 6111, including
22 separately the total number of bills filed by the gun
23 violence task force.

24 (iv) The total number of convictions resulting from
25 prosecutions under subparagraph (iii), including
26 separately the total number of convictions resulting from
27 prosecutions by the gun violence task force.

28 (v) The sentences imposed for each conviction under
29 subparagraph (iv), including separately the sentences
30 imposed for each conviction resulting from a prosecution

1 by the gun violence task force.

2 (vi) The number of firearms seized by the gun
3 violence task force.

4 (vii) A summary of expenditures, including any money
5 appropriated for the gun violence task force in a
6 previous year that is carried over or unspent.

7 Section 2. This act shall take effect in 90 days.