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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 238 Session of  
2021

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INTRODUCED BY HUGHES, SANTARSIERO, KEARNEY, TARTAGLIONE, STREET,  
SAVAL, COSTA AND COMITTA, FEBRUARY 16, 2021

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REFERRED TO STATE GOVERNMENT, FEBRUARY 16, 2021

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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  
17 12,941 gun-related deaths, which ranked fourth highest in the  
18 United States. During that same decade, the rate of gun

1 homicides among children and teens in this Commonwealth  
2 ranked as one of the highest in the nation.

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

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

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

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

19 Section 3. Definitions.

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

23 "Center." The Center for Gun Violence Research established  
24 under section 4.

25 "University." Any of the following:

26 (1) An independent institution of higher education  
27 located in and incorporated or chartered by the Commonwealth,  
28 entitled to confer degrees as set forth in 24 Pa.C.S. § 6505  
29 (relating to power to confer degrees) and entitled to apply  
30 to itself the designation "college," "university" or

1 "seminary" as provided for by standards and qualifications  
2 prescribed by the State Board of Education under 24 Pa.C.S.  
3 Ch. 65 (relating to private colleges, universities and  
4 seminaries).

5 (2) A State-owned institution.

6 (3) A State-related institution.

7 Section 4. Center for Gun Violence Research.

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

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

18 (c) Nonpartisan research.--The center shall conduct research  
19 on a nonpartisan basis.

20 Section 5. Location of center.

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

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

27 (c) Receipt of proposals.--Universities shall submit  
28 proposals in the form and time period as established by the  
29 evaluation committee established under subsection (e).

30 (d) Opening of proposals.--Proposals shall be opened in a

1 manner which avoids disclosure of the proposal's contents to  
2 competing offerors.

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

7 (1) The Secretary of Health.

8 (2) The Secretary of Human Services.

9 (3) The Secretary of Corrections.

10 (4) The Secretary of Education.

11 (5) The chair of the Pennsylvania Commission on Crime  
12 and Delinquency.

13 (6) The Commissioner of Pennsylvania State Police.

14 (7) The Attorney General of Pennsylvania.

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

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

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

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

29 (3) In conducting a discussion under paragraph (1), the  
30 evaluation committee shall not disclose any information

1 derived from proposals submitted by competing universities.

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

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

10 Section 6. Duties.

11 (a) General rule.--The center shall work on a continuing  
12 basis with the Governor, the General Assembly and local  
13 governments to identify, implement and evaluate innovative gun  
14 violence prevention policies and programs.

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

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

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

24 (2) The individual, community and societal consequences  
25 of gun violence.

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

28 (4) Effectiveness of existing laws and policies intended  
29 to reduce gun violence, including the criminal misuse of  
30 firearms, and efforts to promote responsible ownership and

1 firearm use.

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

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

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

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

17 (f) Internet website.--The center shall maintain a publicly  
18 accessible Internet website and post all of the center's  
19 completed research.

## 20 Section 7. Funding.

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

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

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

27 (2) All research money shall be awarded on scientific  
28 merit as determined by an open and competitive peer review  
29 process that assures objectivity, consistency and high  
30 quality. All qualified investigators, regardless of

1 institutional affiliation, shall have equal access and  
2 opportunity to compete for grant money.

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

6 (4) Grants awarded under this subsection shall be made  
7 from the appropriation provided by the General Assembly.

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

10 (1) belong to the center;

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

13 (3) be distributed to the Governor and the General  
14 Assembly.

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

20 Section 8. Effective date.

21 This act shall take effect in 60 days.