
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 429 Session of
2021

INTRODUCED BY A. WILLIAMS, KEARNEY, COLLETT, COMITTA, KANE AND
HAYWOOD, MARCH 15, 2021

REFERRED TO JUDICIARY, MARCH 15, 2021

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), (1.3) and (6) and
8 6111.4 of Title 18 of the Pennsylvania Consolidated Statutes are
9 amended to read:

10 § 6111. Sale or transfer of firearms.

11 * * *

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

18 * * *

19 (1.1) On the date of publication in the Pennsylvania

1 Bulletin of a notice by the Pennsylvania State Police that
2 the instantaneous records check has been implemented, all of
3 the following shall apply:

4 * * *

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

27 * * *

28 (1.3) In addition to the criminal penalty under section
29 6119 (relating to violation penalty), any person who
30 knowingly and intentionally maintains or fails to destroy any

1 information submitted to the Pennsylvania State Police for
2 purposes of a background check pursuant to paragraphs (1.1)
3 and (1.4) [or violates section 6111.4] shall be subject to a
4 civil penalty of \$250 per violation, entry or failure to
5 destroy.

6 * * *

7 (6) Unless it has been discovered pursuant to a criminal
8 history, juvenile delinquency and mental health records
9 background check that the potential purchaser or transferee
10 is prohibited from possessing a firearm pursuant to section
11 6105 (relating to persons not to possess, use, manufacture,
12 control, sell or transfer firearms), no information received
13 via telephone following the implementation of the
14 instantaneous background check system from a purchaser or
15 transferee who has received a unique approval number shall be
16 retained by the Pennsylvania State Police.

17 * * *

18 § 6111.4. Registration of firearms.

19 [Notwithstanding any section of this chapter to the contrary,
20 nothing in this chapter shall be construed to allow any
21 government or law enforcement agency or any agent thereof to
22 create, maintain or operate any registry of firearm ownership
23 within this Commonwealth. For the purposes of this section only,
24 the term "firearm" shall include any weapon that is designed to
25 or may readily be converted to expel any projectile by the
26 action of an explosive or the frame or receiver of any such
27 weapon.]

28 (a) General rule.--Every person who owns, possesses,
29 purchases or otherwise receives ownership of a firearm under
30 section 6111 (relating to sale or transfer of firearms), or who

1 brings or causes to be brought into this Commonwealth a firearm,
2 shall register the firearm with the Pennsylvania State Police
3 within seven days of acquisition of the firearm or within seven
4 days after the firearm is brought into this Commonwealth.

5 (b) Registration form.--

6 (1) Every person required to register a firearm under
7 this section shall submit registration on a form prescribed
8 by the Pennsylvania State Police. The registration form shall
9 be uniform throughout this Commonwealth and include the
10 following:

11 (i) The name, address, birth date, gender, race,
12 physical description and Social Security number of the
13 registrant.

14 (ii) The date of registration.

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

17 (2) Every licensed importer, licensed manufacturer or
18 licensed dealer who sells or otherwise transfers ownership or
19 possession of a firearm to a person shall provide the
20 registration form to the person receiving ownership or
21 possession of the firearm.

22 (3) The Pennsylvania State Police may retain information
23 received from the registration form through retention of the
24 registration form or through entering the information on the
25 registration form onto a computer.

26 (c) Confidentiality.--All information provided by a
27 registrant under this section, including the name or identity of
28 the potential purchaser, transferee or registrant, shall be
29 confidential and not subject to public disclosure, except as may
30 be required:

1 (1) for processing the registration;

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

4 (3) by order of a court.

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

7 (e) Notification of changes.--The registrant shall notify
8 the Pennsylvania State Police of any changes to the information
9 provided on the registration within seven days of the change of
10 information.

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

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

17 (h) Rules and regulations.--The Pennsylvania State Police
18 shall promulgate rules and regulations necessary to implement
19 this section, including regulations to ensure the
20 confidentiality and security of all records and data provided
21 under this section.

22 (i) Nonapplicability.--

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

25 (i) Firearms owned or possessed by a law enforcement
26 officer maintained or used in the course of the officer's
27 official duties.

28 (ii) Firearms lawfully owned, possessed or in the
29 custody of any Federal, State or local law enforcement
30 agency.

1 (iii) Firearms sold or transferred between Federal
2 firearms licensees.

3 (iv) Firearms purchased or acquired by a chief law
4 enforcement officer or the officer's designee for the
5 official use of law enforcement officers.

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

8 (vi) Firearms in the lawful possession of a private
9 security officer in the course of the officer's official
10 duties for a private security company. The firearm must
11 be registered by the private security company.

12 (vii) Firearms owned or possessed by licensed
13 manufacturers or licensed dealers, bulk transporters or
14 licensed sellers at wholesale or retail, provided that
15 such persons have obtained all licenses as required by
16 Federal, State and local laws.

17 (viii) Firearms owned or possessed by any
18 nonresident of this Commonwealth participating in any
19 lawful recreational firearm-related activity in this
20 Commonwealth or in any other jurisdiction, provided that
21 the firearm shall be disassembled in a nonfunctioning
22 state and unloaded.

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

28 (j) Construction.--Nothing contained in this section shall
29 be construed to make unlawful any act of a law enforcement
30 officer which is performed in the lawful performance of the law

1 enforcement officer's official duties.

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

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