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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 335 Session of  
2013

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INTRODUCED BY THOMAS, SCHLOSSBERG, CLAY, HAGGERTY, O'BRIEN, V.  
BROWN, BROWNLEE, FRANKEL, YOUNGBLOOD, NEILSON, KINSEY, MURT  
AND COHEN, JANUARY 24, 2013

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REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 24, 2013

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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 licenses and for sale or  
4 transfer of firearms.

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

7 Section 1. Sections 6109(c) and 6111(b)(1) of Title 18 of  
8 the Pennsylvania Consolidated Statutes are amended to read:

9 § 6109. Licenses.

10 \* \* \*

11 (c) Form of application and content.--The application for a  
12 license to carry a firearm shall be uniform throughout this  
13 Commonwealth and shall be on a form prescribed by the  
14 Pennsylvania State Police. The form may contain provisions, not  
15 exceeding one page, to assure compliance with this section.  
16 Issuing authorities shall use only the application form  
17 prescribed by the Pennsylvania State Police. One of the  
18 following reasons for obtaining a firearm license shall be set

1 forth in the application: self-defense, employment, hunting and  
2 fishing, target shooting, gun collecting or another proper  
3 reason. The application form shall be dated and signed by the  
4 applicant and shall contain the following statement:

5 I have never been convicted of a crime that prohibits me  
6 from possessing or acquiring a firearm under Federal or  
7 State law. I am of sound mind and have never been  
8 committed to a mental institution and have never received  
9 mental health treatment on an inpatient or outpatient  
10 basis. I hereby certify that the statements contained  
11 herein are true and correct to the best of my knowledge  
12 and belief. I understand that, if I knowingly make any  
13 false statements herein, I am subject to penalties  
14 prescribed by law. I authorize the sheriff, or his  
15 designee, or, in the case of first class cities, the  
16 chief or head of the police department, or his designee,  
17 to inspect only those records or documents relevant to  
18 information required for this application. If I am issued  
19 a license and knowingly become ineligible to legally  
20 possess or acquire firearms, I will promptly notify the  
21 sheriff of the county in which I reside or, if I reside  
22 in a city of the first class, the chief of police of that  
23 city.

24 \* \* \*

25 § 6111. Sale or transfer of firearms.

26 \* \* \*

27 (b) Duty of seller.--No licensed importer, licensed  
28 manufacturer or licensed dealer shall sell or deliver any  
29 firearm to another person, other than a licensed importer,  
30 licensed manufacturer, licensed dealer or licensed collector,

1 until the conditions of subsection (a) have been satisfied and  
2 until he has:

3 (1) For purposes of a firearm as defined in section 6102  
4 (relating to definitions), obtained a completed  
5 application/record of sale from the potential buyer or  
6 transferee to be filled out in triplicate, the original copy  
7 to be sent to the Pennsylvania State Police, postmarked via  
8 first class mail, within 14 days of the sale, one copy to be  
9 retained by the licensed importer, licensed manufacturer or  
10 licensed dealer for a period of 20 years and one copy to be  
11 provided to the purchaser or transferee. The form of this  
12 application/record of sale shall be no more than one page in  
13 length and shall be promulgated by the Pennsylvania State  
14 Police and provided by the licensed importer, licensed  
15 manufacturer or licensed dealer. The application/record of  
16 sale shall include the name, address, birthdate, gender,  
17 race, physical description and Social Security number of the  
18 purchaser or transferee, the date of the application and the  
19 caliber, length of barrel, make, model and manufacturer's  
20 number of the firearm to be purchased or transferred. The  
21 application/record of sale shall also contain the following  
22 [question] questions:

23 Are you the actual buyer of the firearm(s), as defined  
24 under 18 Pa.C.S. § 6102 (relating to definitions), listed  
25 on this application/record of sale? Warning: You are not  
26 the actual buyer if you are acquiring the firearm(s) on  
27 behalf of another person, unless you are legitimately  
28 acquiring the firearm as a gift for any of the following  
29 individuals who are legally eligible to own a firearm:

30 (1) spouse;

- 1           (2) parent;
- 2           (3) child;
- 3           (4) grandparent; or
- 4           (5) grandchild.

5           Have you ever received mental health treatment on an  
6           inpatient or outpatient basis?

7           \* \* \*

8           Section 2. This act shall take effect in 60 days.