

## AN ACT

1 Relating to firearm registration; providing for duties of the  
2 Pennsylvania State Police; and imposing penalties.

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 Firearm  
7 Registration Act.

8 Section 2. Definitions.

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

12 "Antique firearm." Includes:

13 (1) Any firearm, including any firearm with a matchlock,  
14 flintlock, percussion cap or similar type of ignition system,  
15 manufactured in or before 1898.

16 (2) Any replica of any firearm described in paragraph

17 (1) if the replica:

1 (i) is not designed or redesigned for using rimfire  
2 or conventional centerfire fixed ammunition; or

3 (ii) uses rimfire or conventional centerfire  
4 ammunition that is no longer manufactured in the United  
5 States and that is not readily available in the ordinary  
6 channels of commercial trade.

7 (3) Any firearm, other than a machine gun, which,  
8 although designed as a weapon, the Pennsylvania State Police  
9 finds by reason of the date of its manufacture, value, design  
10 and other characteristics is primarily a collector's item and  
11 is not likely to be used as a weapon.

12 "Firearm." A weapon which will or is designed or restored to  
13 expel a projectile or projectiles by the action of any  
14 explosive, the frame or receiver of any such device or any  
15 firearm muffler or silencer. The term shall not include:

16 (1) Antique firearms.

17 (2) Any device used exclusively for line throwing,  
18 signaling or safety and required or recommended by the United  
19 States Coast Guard or Interstate Commerce Commission.

20 (3) Any device used exclusively for firing explosives,  
21 rivets, stud cartridges or any similar industrial ammunition  
22 incapable of use as a weapon.

23 Section 3. Registration.

24 (a) General rule.--All firearms in this Commonwealth shall  
25 be registered in accordance with this section. It shall be the  
26 duty of a person owning or possessing any firearm to cause the  
27 firearm to be registered. No person within this Commonwealth may  
28 possess, harbor, have under the person's control, transfer,  
29 offer for sale, sell, give, deliver or accept any firearm unless  
30 the person is the holder of a valid registration certificate for

1 the firearm. No person within this Commonwealth may possess,  
2 harbor, have under the person's control, transfer, offer for  
3 sale, sell, deliver or accept any firearm which is  
4 unregistrable under this act.

5 (b) Nonapplicability.--This section shall not apply to:

6 (1) Firearms owned or under the direct control or  
7 custody of any Federal, State or local governmental authority  
8 maintained in the course of its official duties.

9 (2) Duty-related firearms owned and possessed by law  
10 enforcement officers who are not residents of this  
11 Commonwealth.

12 (3) Duty-related firearms owned and possessed by  
13 corrections officers who are not residents of this  
14 Commonwealth.

15 (4) Firearms owned, manufactured or processed by  
16 licensed manufacturers of firearms, bulk transporters or  
17 licensed sellers of firearms at wholesale or retail, provided  
18 that such persons have all licenses required by law.

19 (5) Any nonresident of this Commonwealth participating  
20 in any lawful recreational firearm-related activity in this  
21 Commonwealth, or on the way to or from the firearm-related  
22 activity in another jurisdiction, provided that the  
23 possession or control of the firearm is lawful in the  
24 jurisdiction in which the individual resides and that the  
25 weapon is either:

26 (i) Broken down in a nonfunctioning state.

27 (ii) Unloaded and enclosed in a case, firearm-  
28 carrying box, shipping box or other container.

29 (6) Private security personnel who possess or control  
30 any firearm or ammunition within this Commonwealth. Firearms

1 under this paragraph shall be owned and maintained by the  
2 security firm employing the security personnel and shall be  
3 registered by the security firm in accordance with this  
4 section.

5 Section 4. Registration requirements.

6 (a) General rule.--No registration certificate shall be  
7 issued to any person unless the person:

8 (1) Has not been convicted of a crime of violence.

9 (2) Has not been convicted within the five years prior  
10 to the application of any violation of any law relating to  
11 the use, possession or sale of any narcotic or dangerous  
12 drug.

13 (3) Is not otherwise ineligible to possess a firearm  
14 under any Federal or State law.

15 (b) Application.--Every person who is required to register a  
16 firearm under this act shall obtain an application for  
17 registration of the firearm from the Pennsylvania State Police.  
18 The application shall be in writing and sworn under oath and  
19 shall require the following information:

20 (1) The name, home and business address, telephone  
21 number, date of birth and Social Security number of the  
22 applicant.

23 (2) The age, sex and citizenship of the applicant.

24 (3) The name of the manufacturer, the caliber or gauge,  
25 model, type and serial number of each firearm to be  
26 registered.

27 (4) Two photographs taken within 30 days immediately  
28 prior to the date of filing the application equivalent to  
29 passport size showing the full face, head and shoulders of  
30 the applicant in a clear and distinguishing manner.

1           (5) Additional information as the Pennsylvania State  
2 Police may deem necessary to process the application.

3       (c) Fingerprinting.--The applicant or registrant shall  
4 submit to fingerprinting by the Pennsylvania State Police in  
5 accordance with procedures and regulations prescribed by the  
6 Pennsylvania State Police.

7       (d) Records.--The Pennsylvania State Police shall cause to  
8 be kept an accurate record of each application received and  
9 acted upon together with all other information and data  
10 pertaining to the application on all applications for owner's  
11 registration certificates issued or denied under this act.  
12 Applications for owner's registration certificates shall be  
13 numbered in consecutive numbers as filed, and each certificate  
14 issued shall be identified with the duplicate number of the  
15 application upon which it was issued and shall expire  
16 automatically one year from the date of issuance.

17       (e) Background check.--The Pennsylvania State Police shall  
18 conduct a criminal background check on the applicant to ensure  
19 compliance with this section. No application may be approved  
20 until and unless a criminal background check is completed.

21       (f) Procedure.--Within 30 days of receipt of an application,  
22 the Pennsylvania State Police, after consideration of the  
23 application for an owner's registration certificate and all  
24 information obtained relative to the application, shall either  
25 approve or deny the application and notify the applicant in  
26 writing of the determination.

27       (g) Approval.--In the event the application is approved, the  
28 Pennsylvania State Police shall issue to the applicant an  
29 owner's registration certificate which shall contain the  
30 applicant's name, residence, date of birth, photograph and other

1 personal information as may be required by the Pennsylvania  
2 State Police. The owner's registration certificate shall not be  
3 transferable and shall be carried simultaneously with the  
4 firearm and shall be exhibited to any police officer upon demand  
5 for inspection. Registration shall not make lawful the carrying  
6 or possessing of a firearm if prohibited by law.

7 (h) Denial.--In the event the application is denied, the  
8 Pennsylvania State Police shall inform the applicant in writing  
9 of the denial. Any applicant who believes that the applicant's  
10 application is wrongfully denied may, within 10 days after  
11 receiving notice of the denial, file a written appeal of the  
12 denial in accordance with 2 Pa.C.S. (relating to administrative  
13 law and procedure). Within three days after notification of a  
14 decision unfavorable to the applicant and all time for appeal  
15 having expired, the applicant shall surrender to the  
16 Pennsylvania State Police the firearm for which the applicant  
17 was denied registration.

18 (i) Renewal.--Each registrant must renew registration  
19 annually. Applications for renewal shall be made by a registrant  
20 60 days prior to the expiration of the current registration  
21 certificate.

22 Section 5. Additional duties of registrant.

23 Each person holding a registration certificate shall:

24 (1) Notify the Pennsylvania State Police of:

25 (i) The loss, theft or destruction of the  
26 registration certificate or of a registered firearm  
27 within 48 hours of the discovery of the loss, theft or  
28 destruction.

29 (ii) A change in any of the information appearing on  
30 the registration certificate within 48 hours.

1 (iii) The sale, transfer or other disposition of the  
2 firearm not less than 48 hours prior to delivery.

3 (2) Return to the Pennsylvania State Police the  
4 registrant's copy of the registration certificate for any  
5 firearm which is lost, stolen, destroyed or otherwise  
6 disposed of within 48 hours.

7 (3) Keep any firearm in the registrant's possession  
8 unloaded and disassembled or bound by a trigger lock, gun  
9 safe or similar device unless the firearm is in the  
10 registrant's immediate possession and control while at the  
11 registrant's place of residence or business or while being  
12 used for lawful recreational purposes within this  
13 Commonwealth. This paragraph shall not apply to law  
14 enforcement personnel or security personnel while in the  
15 course of their employment.

16 Section 6. Application fee.

17 A nonrefundable fee of \$10 per firearm shall accompany each  
18 application for registration of a firearm and renewal of  
19 registration of a firearm.

20 Section 7. Penalty.

21 A person who violates this act commits a summary offense.

22 Section 8. Regulations.

23 The Pennsylvania State Police shall promulgate rules and  
24 regulations for the implementation of this act.

25 Section 9. Acquisition or possession prohibited by law.

26 Nothing in this act shall make lawful the acquisition or  
27 possession of firearms or firearm accessories which is otherwise  
28 prohibited by law.

29 Section 10. Effective date.

30 This act shall take effect in 180 days.