

Monday, September 22, 2025 11:00 AM Voting Meeting

House Judiciary Committee Voting Meeting Majority Caucus Room Room 140 Main Capitol Harrisburg, PA 17120 September 22, 2025 11:00 AM

Agenda

House Bill 413 (Briggs) An Act amending Title 44 (Law and Justice) in preliminary provisions, adopting the Uniform Electronic Recordation of Custodial Interrogations Act; requiring recordings of interrogations; and imposing functions on the Attorney General.

House Bill 706 (Zimmerman) Act amending Title 18 (Crimes and Offenses) in firearms and other dangerous articles, further providing for licenses.

House Bill 728 (Kinkead) An Act amending Title 61 (Prisons and Parole), establishing the Identification Upon Reentry Program.

House Bill 837 (Shusterman) An Act amending Title 18 (Crimes and Offenses) in firearms and other dangerous articles, providing for limit on handgun purchases; and establishing the Violence Prevention Account.

House Bill 1099 (Cephas) An Act amending Title 18 (Crimes and Offenses) in firearms and other dangerous articles, providing for the offense of undetectable firearms.

A01727 (Shusterman)

House Bill 1593 (Warren) An Act amending Title 18 (Crimes and Offenses) in firearms and other dangerous articles, repealing provisions relating to sale or transfer of firearms.

A01733 (Kauffman)

House Bill 1613 (Hanbidge) An Act amending Title 42 (Judiciary and Judicial Procedure) in juvenile matters, further providing for definitions and for release or delivery to court, providing for mandatory counsel and for child interrogation and further providing for powers and duties of the Juvenile Court Judges' Commission.

House Bill 1722 (Rigby) An Act amending the act of September 30, 1983 (P.L.160, No.39), known as the Public Official Compensation Law, providing for compensation of heads of departments.

House Bill 1822 (Briggs) An Act amending Title 44 (Law and Justice), providing for protection of personal data of certain public servants; imposing duties on data brokers regarding personal data; and providing for civil and criminal enforcement.

A01726 (Briggs)

House Bill 1859 (O'Mara) An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) in firearms and other dangerous articles, further providing for persons not to possess, use, manufacture, control, sell or transfer firearms and for abandonment of firearms, weapons or ammunition; in community and municipal courts, further providing for masters; adding provisions relating to extreme risk protection orders; imposing duties on the Office of Attorney General; and imposing penalties.

House Bill 1866 (Steele) An Act amending Title 18 (Crimes and Offenses) in inchoate crimes, further providing for prohibited offensive weapons.

House Resolution 165 (Daley) Directs the Joint State Government Commission to conduct a study and issue a report on the status of the pretrial detention practices and pretrial detainee populations.

House Resolution 279 (Delozier/Hill-Evans) Recognizes the month of October 2025 as "Domestic Violence Awareness Month".

And any other business that comes before the Committee

Adjournment

Attachments:

- HB413
- HB413 BA
- HB706
- HB706 BA
- HB728
- HB728 BA
- HB837
- HB837 BA
- HB1099
- A01727 to HB1099
- HB1099 BA
- HB1593
- A01733 to HB1593
- HB1593 BA
- HB1613
- HB1613 BA
- HB1722
- HB1722 BA
- HB1822
- A01726 to HB1822
- HB1822 BA
- HB1859
- HB1859 BA
- HB1866
- HB1866 BA
- HR165
- HR165 BA
- HR279
- HR279 BA

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 413 Session of
2025

INTRODUCED BY BRIGGS, CEPEDA-FREYTIZ, SANCHEZ, KHAN, D. MILLER,
HANBIDGE, GIRAL, PIELLI, HILL-EVANS, HOWARD, DONAHUE, WARREN,
CERRATO AND GREEN, JANUARY 29, 2025

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 29, 2025

AN ACT

1 Amending Title 44 (Law and Justice) of the Pennsylvania
2 Consolidated Statutes, in preliminary provisions, adopting
3 the Uniform Electronic Recordation of Custodial
4 Interrogations Act; requiring recordings of interrogations;
5 and imposing functions on the Attorney General.

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

8 Section 1. Part I of Title 44 of the Pennsylvania
9 Consolidated Statutes is amended by adding a chapter to read:

10 CHAPTER 11

11 UNIFORM ELECTRONIC RECORDATION OF

12 CUSTODIAL INTERROGATIONS ACT

13 Sec.

14 1101. Short title of chapter.

15 1102. Definitions.

16 1103. Electronic recording requirement.

17 1104. Notice and consent not required.

18 1105. Exception for exigent circumstances.

19 1106. Exception for individual's refusal to be recorded

1 electronically.

2 1107. Exception for interrogation conducted by other

3 jurisdiction.

4 1108. Exception based on belief recording not required.

5 1109. Exception for safety of individual or protection of

6 identity.

7 1110. Exception for equipment malfunction.

8 1111. Burden of persuasion.

9 1112. Notice of intent to introduce unrecorded statement.

10 1113. Procedural remedies.

11 1114. Handling and preserving electronic recording.

12 1115. Regulations relating to electronic recording.

13 1116. Limitation of liability.

14 1117. Self-authentication.

15 1118. Uniformity of application and construction.

16 1119. Relation to Electronic Signatures in Global and National

17 Commerce Act.

18 § 1101. Short title of chapter.

19 This chapter shall be known and may be cited as the Uniform

20 Electronic Recordation of Custodial Interrogations Act.

21 § 1102. Definitions.

22 The following words and phrases when used in this chapter

23 shall have the meanings given to them in this section unless the

24 context clearly indicates otherwise:

25 "Child." As defined in 42 Pa.C.S. § 6302 (relating to

26 definitions).

27 "Crime of violence." As defined in 42 Pa.C.S. § 9714(g)

28 (relating to sentences for second and subsequent offenses). The

29 term includes a violent delinquent act.

30 "Custodial interrogation."

1 (1) The term includes questioning or other conduct by a
2 law enforcement officer which:

3 (i) is reasonably likely to elicit an incriminating
4 response from an individual; and

5 (ii) occurs when a reasonable individual in the same
6 circumstances would consider that the individual is in
7 custody.

8 (2) The term includes giving a required warning, advice
9 of rights of the individual being questioned and waiver of
10 rights by the individual.

11 "Electronic recording." A video recording, with audio, which
12 accurately and completely records a custodial interrogation.

13 "Law enforcement agency." A governmental entity or person
14 authorized by a governmental entity or state law to enforce
15 criminal laws or investigate suspected criminal activity. The
16 term includes a nongovernmental entity which has been delegated
17 the authority to enforce criminal laws or investigate suspected
18 criminal activity. The term does not include a law enforcement
19 officer.

20 "Law enforcement officer." Any of the following:

21 (1) An individual who is employed by a law enforcement
22 agency and whose responsibilities include enforcing criminal
23 laws or investigating suspected criminal activity.

24 (2) An individual acting at the request or direction of
25 an individual described in paragraph (1).

26 "Person." Any of the following:

27 (1) An individual, corporation, business trust,
28 statutory trust, estate, trust, partnership, limited
29 liability company, association, joint venture or public
30 corporation.

1 (2) A government or governmental subdivision, agency or
2 instrumentality.

3 (3) Any other legal or commercial entity.

4 "Record electronically." To make an electronic recording.

5 "State." A state of the United States, the District of
6 Columbia, Puerto Rico, the United States Virgin Islands or a
7 territory or insular possession subject to the jurisdiction of
8 the United States.

9 "Statement." A communication, whether oral, written,
10 electronic or nonverbal.

11 "Violent delinquent act." An offense by a child which, if
12 committed by an adult, would constitute a crime of violence.

13 § 1103. Electronic recording requirement.

14 (a) Requirement.--

15 (1) Except as specified in paragraph (2) or subsection
16 (e), a custodial interrogation related to a crime of violence
17 must be recorded electronically in its entirety.

18 (2) Paragraph (1) does not apply as described in
19 section:

20 (i) 1105 (relating to exception for exigent
21 circumstances);

22 (ii) 1106 (relating to exception for individual's
23 refusal to be recorded electronically);

24 (iii) 1107 (relating to exception for interrogation
25 conducted by other jurisdiction);

26 (iv) 1108 (relating to exception based on belief
27 recording not required);

28 (v) 1109 (relating to exception for safety of
29 individual or protection of identity); or

30 (vi) 1110 (relating to exception for equipment

1 malfunction).

2 (b) Justification report.--

3 (1) This subsection applies if a law enforcement
4 officer:

5 (i) conducts a custodial interrogation to which
6 subsection (a) applies;

7 (ii) relies upon an exception under subsection (a)
8 (2) or (e); and

9 (iii) does not electronically record the custodial
10 interrogation in its entirety.

11 (2) If this subsection applies, the law enforcement
12 officer shall prepare a written or electronic report:

13 (i) explaining the reason for not recording the
14 custodial interrogation; and

15 (ii) summarizing the custodial interrogation process
16 and the statements of the individual subject to the
17 custodial interrogation.

18 (c) Report timing.--A law enforcement officer shall prepare
19 the report under subsection (b) as soon as practicable after
20 completing the interrogation.

21 (d) (Reserved).

22 (e) Spontaneous and routine statements.--This section does
23 not apply to:

24 (1) a spontaneous statement made outside the course of a
25 custodial interrogation; or

26 (2) a statement made in response to a question asked
27 routinely during the processing of the arrest of an
28 individual.

29 § 1104. Notice and consent not required.

30 Notwithstanding 18 Pa.C.S. Ch. 57 Subch. B (relating to wire,

electronic or oral communication), a law enforcement officer
conducting a custodial interrogation is not required to obtain
consent to electronic recording from the individual being
interrogated. This chapter does not permit a law enforcement
officer or a law enforcement agency to record a private
communication between an individual and the individual's lawyer.
§ 1105. Exception for exigent circumstances.

Section 1103 (relating to electronic recording requirement)
does not apply if electronic recording is not feasible because
of exigent circumstances. The law enforcement officer conducting
the interrogation shall record electronically an explanation of
the exigent circumstances before conducting the interrogation,
if feasible, or as soon as practicable after the interrogation
is completed.

§ 1106. Exception for individual's refusal to be recorded
electronically.

(a) Refusal to participate.--Section 1103 (relating to
electronic recording requirement) does not apply if the
individual to be interrogated indicates that the individual will
not participate in the interrogation if the interrogation is
recorded electronically. If feasible, the agreement to
participate without recording must be recorded electronically.

(b) Refusal to continue.--If, during a custodial
interrogation under section 1103, the individual being
interrogated indicates that the individual will not participate
in further interrogation unless electronic recording ceases, the
remainder of the custodial interrogation need not be recorded
electronically. If feasible, the individual's agreement to
participate without further recording must be recorded
electronically.

1 (c) Encouraging refusal.--A law enforcement officer, with
2 intent to avoid the requirement of electronic recording in
3 section 1103, may not encourage an individual to request that a
4 recording not be made.

5 § 1107. Exception for interrogation conducted by other
6 jurisdiction.

7 If a custodial interrogation occurs in another state in
8 compliance with that state's law or is conducted by a Federal
9 law enforcement agency in compliance with Federal law, the
10 interrogation need not be recorded electronically unless the
11 interrogation is conducted with intent to avoid the requirement
12 of electronic recording in section 1103 (relating to electronic
13 recording requirement).

14 § 1108. Exception based on belief recording not required.

15 (a) Initial belief.--Section 1103 (relating to electronic
16 recording requirement) does not apply if the interrogation
17 occurs when no law enforcement officer conducting the
18 interrogation has knowledge of facts and circumstances that
19 would lead an officer reasonably to believe that the individual
20 being interrogated may have committed an act for which section
21 1103 requires that a custodial interrogation be recorded
22 electronically.

23 (b) Additional factors.--If, during a custodial
24 interrogation under subsection (a), the individual being
25 interrogated reveals facts and circumstances giving a law
26 enforcement officer conducting the interrogation reason to
27 believe that an act has been committed for which section 1103
28 requires that a custodial interrogation be recorded
29 electronically, continued custodial interrogation concerning
30 that act must be recorded electronically, if feasible.

1 § 1109. Exception for safety of individual or protection of
2 identity.

3 Section 1103 (relating to electronic recording requirement)
4 does not apply if a law enforcement officer conducting the
5 interrogation or the officer's superior reasonably believes that
6 electronic recording would disclose the identity of a
7 confidential informant or jeopardize the safety of an officer,
8 the individual being interrogated or another individual. If
9 feasible and consistent with the safety of a confidential
10 informant, an explanation of the basis for the belief that
11 electronic recording would disclose the informant's identity
12 must be recorded electronically at the time of the
13 interrogation. If contemporaneous recording of the basis for the
14 belief is not feasible, the recording must be made as soon as
15 practicable after the interrogation is completed.

16 § 1110. Exception for equipment malfunction.

17 (a) General malfunction.--Section 1103 (relating to
18 electronic recording requirement) does not apply to the extent
19 that recording is not feasible because:

20 (1) the available electronic recording equipment fails,
21 despite reasonable maintenance of the equipment; and

22 (2) timely repair or replacement is not feasible.

23 (b) Video only.--Recording may be by video alone if audio
24 recording is not feasible under subsection (a).

25 § 1111. Burden of persuasion.

26 If the prosecution relies on an exception under section
27 1103(a)(2) (relating to electronic recording requirement) to
28 justify a failure to record electronically a custodial
29 interrogation, the prosecution must prove by a preponderance of
30 the evidence that the exception applies.

1 § 1112. Notice of intent to introduce unrecorded statement.

2 If the prosecution intends to introduce in its case-in-chief
3 a statement made during a custodial interrogation subject to
4 section 1103 (relating to electronic recording requirement)
5 which was not recorded electronically, the prosecution, not
6 later than 14 days after arraignment, must serve the defendant
7 with written notice of the prosecution's intent and of any
8 exception on which the prosecution intends to rely.

9 § 1113. Procedural remedies.

10 (a) Admissibility.--Unless the court finds that an exception
11 under section 1103(a)(2) (relating to electronic recording
12 requirement) applies, the court shall consider the failure to
13 record electronically all or part of a custodial interrogation
14 subject to section 1103 in determining whether a statement made
15 during the interrogation is admissible, including whether it was
16 voluntarily made and is reliable.

17 (b) Instruction.--If the court admits into evidence a
18 statement made during a custodial interrogation that was not
19 recorded electronically in compliance with section 1103, the
20 court, on request of the defendant, shall give a cautionary
21 instruction to the jury.

22 § 1114. Handling and preserving electronic recording.

23 Each law enforcement agency in this Commonwealth shall
24 establish and enforce procedures to ensure that the electronic
25 recording of all or part of a custodial interrogation is
26 identified, accessible and preserved as required by Pa.R.E. Art.
27 X (relating to contents of writings, recordings, and
28 photographs). The procedures shall be consistent with applicable
29 provisions contained in the regulations under section 1115
30 (relating to regulations relating to electronic recording). The

Office of Attorney General shall monitor and enforce compliance with this section.

§ 1115. Regulations relating to electronic recording.

(a) Adoption and enforcement.--The Office of Attorney General shall:

(1) in consultation with the Commissioner of Pennsylvania State Police, promulgate regulations to implement this chapter; and

(2) monitor enforcement of the regulations by each law enforcement agency which is a governmental entity of the Commonwealth.

(b) Scope.--Regulations promulgated under subsection (a) shall address:

(1) how an electronic recording of a custodial interrogation must be made;

(2) the collection and review of electronic recordings, or the absence of electronic recordings, by a supervisor in each law enforcement agency;

(3) the assignment of supervisory responsibilities and a chain of command to promote internal accountability;

(4) a process for explaining noncompliance with procedures and imposing administrative sanctions for a failure to comply which is not justified;

(5) a supervisory system expressly imposing on individuals in specific positions a duty to ensure adequate staffing, education, training and material resources to implement this chapter; and

(6) a process for monitoring the chain of custody of an electronic recording.

(c) Making electronic video recording.--Regulations

promulgated under subsections (a) and (b)(1) for video recording shall contain standards for the angle, focus and field of vision of a recording device which reasonably promote accurate recording of a custodial interrogation and reliable assessment of the recording's accuracy and completeness.

(d) Failure to comply with regulations.--A court may consider the failure by a law enforcement agency to comply with regulations promulgated under subsections (a) and (b)(1) in determining whether an individual's statement made during a custodial interrogation conducted by the law enforcement agency is admissible.

(e) Temporary regulations.--

(1) In order to facilitate the prompt implementation of this chapter, the Office of Attorney General shall promulgate temporary regulations under this section. Promulgation of temporary regulations under this subsection shall not be subject to any of the following:

(i) Section 612 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

(ii) Sections 201, 202, 203, 204 and 205 of the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law.

(iii) Sections 204(b) and 301(10) of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act.

(iv) The act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act.

(2) Regulations promulgated under this subsection shall expire on the earlier of:

1 (i) the effective date of regulations promulgated
2 under subsection (a); or
3 (ii) two years following the publication of the
4 temporary regulations.

5 (3) Paragraph (1) shall expire 180 days following the
6 effective date of this section.

7 § 1116. Limitation of liability.

8 (a) Immunity.--A law enforcement agency which is a
9 governmental entity of the Commonwealth and has implemented
10 procedures reasonably designed to comply with regulations
11 adopted under section 1115 (relating to regulations relating to
12 electronic recording) and to ensure compliance with this chapter
13 is not subject to civil liability for damages arising from a
14 violation of this chapter. This subsection is subject to 42
15 Pa.C.S. Ch. 85 (relating to matters affecting government units).

16 (b) No right of action.--This chapter does not create a
17 right of action against a law enforcement officer.

18 § 1117. Self-authentication.

19 (a) Certification.--In any pretrial or posttrial proceeding,
20 an electronic recording of a custodial interrogation is self-
21 authenticating if it is accompanied by a certificate of
22 authenticity sworn under oath or affirmation by an appropriate
23 law enforcement officer.

24 (b) Challenges.--This chapter does not limit the right of an
25 individual to challenge the authenticity of an electronic
26 recording of a custodial interrogation under the laws of this
27 Commonwealth other than this chapter.

28 § 1118. Uniformity of application and construction.

29 In applying and construing this uniform act, consideration
30 must be given to the need to promote uniformity of the law with

1 respect to its subject matter among states that enact it.

2 § 1119. Relation to Electronic Signatures in Global and
3 National Commerce Act.

4 To the extent permitted by 15 U.S.C. § 7002 (Electronic
5 Signatures in Global and National Commerce Act), this chapter
6 may supersede provisions of that act.

7 Section 2. This act shall take effect as follows:

8 (1) The following provisions shall take effect
9 immediately:

10 (i) The addition of 44 Pa.C.S. § 1115.

11 (ii) This section.

12 (2) The remainder of this act shall take effect on the
13 earlier of:

14 (i) the effective date of the temporary regulations
15 promulgated under 44 Pa.C.S. § 1115(e); or

16 (ii) January 1, 2026.

HOUSE OF REPRESENTATIVES DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB0413 PN0385	Prepared By:	Michelle Batt, Esq. (717) 705-1880,6078
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Briggs, Tim		
Date:	1/31/2025		

A. Brief Concept

Establishes the Uniform Electronic Recordation of Custodial Interrogations Act to require law enforcement to electronically record custodial interrogations of individuals accused of committing a crime of violence, unless an exception exists.

C. Analysis of the Bill

Creates Chapter 11 in Title 44 (Uniform Electronic Recordation of Custodial Interrogations Act) to require custodial interrogations related to crimes of violence to be recorded electronically in their entirety.

Exceptions:

- Exigent circumstances,
 - a law enforcement officer relying on this exception must electronically record an explanation of the exigent circumstances before conducting the interrogation, if feasible, or as soon as practicable thereafter.
- Refusal to be recorded,
 - if feasible, the individual's agreement to participate without recording must be electronically recorded.
 - a law enforcement officer may not encourage an individual to request that a recording not be made.
- Interrogations conducted in other jurisdictions,
 - a law enforcement officer may not conduct an interrogation in another jurisdiction with the intent to avoid the electronic recording requirement.
- Where law enforcement believes that recording is not required,
 - if, during a custodial interrogation, the individual reveals facts and circumstances giving a law enforcement officer reason to believe that an act has been committed requiring a recorded custodial interrogation, the custodial interrogation must be recorded electronically to continue.
- Protecting identities, and
 - if feasible and consistent with safety, an explanation of the basis for the belief that electronic recording would disclose the informant's identity must be recorded electronically at the time of the interrogation. If contemporaneous recording of the basis for the belief is not feasible, the recording must be made as soon as practicable after the interrogation is completed.
- Equipment malfunction despite reasonable maintenance of the equipment where timely repair or replacement is not feasible.
 - a recording may be by video alone if audio recording is not feasible.

If a law enforcement officer does not electronically record a custodial interrogation related to a crime of violence based on an exception, they shall prepare a written or electronic "justification report" after completing an interrogation (1) explaining the reason for not recording the interrogation and (2) summarizing the custodial interrogation process and the statements of the interrogated individual. This report shall be prepared as soon as practicable after the interrogation.

The Wiretap Act does not apply: a law enforcement officer is not required to obtain consent from the interrogated individual to the electronic recording. A law enforcement officer may not

record communication between an individual and the individual's lawyer.

Procedures: Each law enforcement agency shall establish and enforce procedures to ensure that the electronic recording of all or part of a custodial interrogation is identified, accessible and preserved. The Office of Attorney General shall monitor and enforce compliance.

Regulations: The Office of Attorney General shall (1) in consultation with the Commissioner of Pennsylvania State Police, promulgate regulations to implement this chapter and (2) monitor compliance therewith. Said regulations shall address:

- (1) how an electronic recording of a custodial interrogation must be made (including standards for the angle, focus and field of vision which reasonably promote accurate recording and reliable assessment of the recording's accuracy and completeness);
- (2) the collection and review of electronic recordings, or the absence of electronic recordings, by a supervisor in each law enforcement agency;
- (3) the assignment of supervisory responsibilities and a chain of command to promote internal accountability;
- (4) a process for explaining noncompliance with procedures and imposing administrative sanctions for a failure to comply which is not justified;
- (5) a supervisory system expressly imposing on individuals in specific positions a duty to ensure adequate staffing, education, training and material resources to implement this chapter; and
- (6) a process for monitoring the chain of custody of an electronic recording.

The Office of Attorney General shall promulgate and implement temporary regulations to facilitate the prompt implementation of this chapter.

Prosecution:

If the prosecution relies on an exception to justify a failure to record electronically a custodial interrogation, the prosecution must prove by a preponderance of the evidence that the exception applies.

If the prosecution intends to introduce a statement made during a custodial interrogation that was not recorded electronically, the prosecution, not later than 14 days after arraignment, must serve the defendant with written notice of the prosecution's intent and of any exception on which the prosecution intends to rely.

Unless the court finds an exception applies, the court shall consider the failure to record electronically all or part of a custodial interrogation in determining whether a statement made during the interrogation is admissible, including whether it was voluntarily made and is reliable.

If the court admits into evidence a statement made during a custodial interrogation that was not recorded electronically, the court, on request of the defendant, shall give a cautionary instruction to the jury.

A court may consider the failure by a law enforcement agency to comply with the promulgated regulations in determining whether an individual's statement is admissible.

Definitions:

"Child." As defined in 42 Pa.C.S. § 6302 (relating to definitions).

"Crime of violence." As defined in 42 Pa.C.S. § 9714(g) (relating to sentences for second and subsequent offenses). The term includes a violent delinquent act.

"Custodial interrogation." Questioning or other conduct by a law enforcement officer which: (1) is reasonably likely to elicit an incriminating response from an individual; and (2) occurs when a reasonable individual in the same circumstances would consider that the individual is in custody. The term includes giving a required warning, advice of rights of the individual being questioned and waiver of rights by the individual.

"Electronic recording." A video recording, with audio, which accurately and completely records a custodial interrogation.

"Law enforcement agency." A governmental entity or person authorized by a governmental entity or state law to enforce criminal laws or investigate suspected criminal activity. The term includes a nongovernmental entity which has been delegated the authority to enforce criminal laws or investigate suspected criminal activity. The term does not include a law enforcement officer.

"Law enforcement officer." Any of the following: (1) An individual who is employed by a law enforcement agency and whose responsibilities include enforcing criminal laws or investigating suspected criminal activity. (2) An individual acting at the request or direction of an individual described in paragraph (1).

"Person." Any of the following: (1) An individual, corporation, business trust, statutory trust, estate, trust, partnership, limited liability company, association, joint venture or public corporation. (2) A government or governmental subdivision, agency or instrumentality. (3) Any other legal or commercial entity.

"Record electronically." To make an electronic recording.

"State." A state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands or a territory or insular possession subject to the jurisdiction of the United States.

"Statement." A communication, whether oral, written, electronic or nonverbal.

"Violent delinquent act." An offense by a child which, if committed by an adult, would constitute a crime of violence.

Effective Date:

The portion of the bill requiring the establishment of regulations takes effect immediately and the remainder of the bill takes effect on the effective date of the temporary regulations or January 1, 2026, whichever is earlier.

G. Relevant Existing Laws

Numerous law enforcement agencies in Pennsylvania have departmental policies relative to this practice and are already utilizing video for certain types of interrogations.

42 Pa.C.S. § 9714. Sentences for second and subsequent offenses.

(g) Definition.--As used in this section, the term "crime of violence" means:

- murder of the third degree,
- voluntary manslaughter,
- manslaughter of a law enforcement officer as defined in 18 Pa.C.S. § 2507(c) or (d) (relating to criminal homicide of law enforcement officer),
- murder of the third degree involving an unborn child as defined in 18 Pa.C.S. § 2604(c) (relating to murder of unborn child),
- aggravated assault of an unborn child as defined in 18 Pa.C.S. § 2606 (relating to aggravated assault of unborn child),
- aggravated assault as defined in 18 Pa.C.S. § 2702(a)(1) or (2) (relating to aggravated assault),
- assault of law enforcement officer as defined in 18 Pa.C.S. § 2702.1(a)(1) (relating to assault of law enforcement officer),
- use of weapons of mass destruction as defined in 18 Pa.C.S. § 2716(b) (relating to weapons of mass destruction),
- terrorism as defined in 18 Pa.C.S. § 2717(b)(2) (relating to terrorism),

- strangulation when the offense is graded as a felony as defined in 18 Pa.C.S. § 2718 (relating to strangulation),
- trafficking of persons when the offense is graded as a felony of the first degree as provided in 18 Pa.C.S. § 3011 (relating to trafficking in individuals),
- rape,
- involuntary deviate sexual intercourse,
- aggravated indecent assault,
- incest,
- sexual assault,
- arson endangering persons or aggravated arson as defined in 18 Pa.C.S. § 3301(a) or (a.1) (relating to arson and related offenses),
- ecoterrorism as classified in 18 Pa.C.S. § 3311(b)(3) (relating to ecoterrorism),
- kidnapping,
- burglary as defined in 18 Pa.C.S. § 3502(a)(1) (relating to burglary),
- robbery as defined in 18 Pa.C.S. § 3701(a)(1)(i), (ii) or (iii) (relating to robbery), or
- robbery of a motor vehicle,
- drug delivery resulting in death as defined in 18 Pa.C.S. § 2506(a) (relating to drug delivery resulting in death), or
- criminal attempt, criminal conspiracy or criminal solicitation to commit murder or any of the offenses listed above, or an equivalent crime under the laws of this Commonwealth in effect at the time of the commission of that offense or an equivalent crime in another jurisdiction.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

House Bill 2231 of 2024 was reported as committed out of the House Judiciary Committee on April 29, 2024.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 706 Session of 2025

INTRODUCED BY ZIMMERMAN, SCHEUREN, HAMM, GREINER, BANTA,
M. JONES, SMITH, REICHARD, STENDER, STAATS, KAUFFMAN,
KENYATTA, KRUPA, ROWE AND METZGAR, FEBRUARY 24, 2025

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 24, 2025

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.

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

6 Section 1. Section 6109(h)(1) of Title 18 of the
7 Pennsylvania Consolidated Statutes is amended and the subsection
8 is amended by adding a paragraph to read:

9 § 6109. Licenses.

10 * * *

11 (h) Fee.--

12 (1) [In] Except as provided for in paragraph (8), in
13 addition to fees described in [paragraphs (2)(ii) and]
14 paragraph (3), the fee for a license to carry a firearm is
15 \$19. This includes all of the following:

16 (i) A renewal notice processing fee of \$1.50.

17 (ii) An administrative fee of \$5 under section 14(2)
18 of the act of July 6, 1984 (P.L.614, No.127), known as

1 the Sheriff Fee Act.

2 * * *

3 (8) The governing authority of a county may, after
4 consultation with the sheriff or, in a city of the first
5 class, the chief of police, waive the fees provided for in
6 paragraphs (1) and (3) for an applicant who is an honorably
7 discharged veteran of the armed forces of the United States
8 or is 65 years of age or older.

9 * * *

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

HOUSE OF REPRESENTATIVES DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB0706 PN0725	Prepared By:	David Vitale, Esq. (717) 705-1880,6078
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Zimmerman, David		
Date:	2/26/2025		

A. Brief Concept

Allows for license to carry firearm fees to be waived by a county for an honorably discharged veteran or an individual 65 years of age or older.

C. Analysis of the Bill

Amends Section 6109 (h) (1) of Title 18 of the PA Consolidate statutes to enable a governing authority of a county, after consultation with the sherriff or, in a city of the first class, the police chief, to waive fees for a license to carry a firearm for an honorobaly discharched veteran or an individual 65 years of age or older.

Effective Date:

60 Days.

G. Relevant Existing Laws

Chapter 61 (Firearms and Other Dangerous Articles) of Title 18 (Crimes and Offenses) of the PA Consolidated Statutes contains provisions regarding firearms in the Commonwealth. Specifically, Section 6109 (Licenses) provides for a license to carry firearms.

(h) Fee.--(1) In addition to fees described in paragraphs (2)(ii) and (3), the fee for a license to carry a firearm is \$19. This includes all of the following:

(i) A renewal notice processing fee of \$1.50.

(ii) An administrative fee of \$5 under section 14(2) of the act of July 6, 1984 (P.L.614, No.127), known as the Sheriff Fee Act.

(2) (Expired).

(3) An additional fee of \$1 shall be paid by the applicant for a license to carry a firearm and shall be remitted by the sheriff to the Firearms License Validation System Account, which is hereby established as a special restricted receipt account within the General Fund of the State Treasury. The account shall be used for purposes under subsection (l). Moneys credited to the account and any investment income accrued are hereby appropriated on a continuing basis to the Pennsylvania State Police.

(4) No fee other than that provided by this subsection or the Sheriff Fee Act may be assessed by the sheriff for the performance of any background check made pursuant to this act.

(5) The fee is payable to the sheriff to whom the application is submitted and is payable at the time of application for the license.

(6) Except for the administrative fee of \$5 under section 14(2) of the Sheriff Fee Act, all other fees shall be refunded if the application is denied but shall not be refunded if a license is issued and subsequently revoked.

(7) A person who sells or attempts to sell a license to carry a firearm for a fee in excess of the amounts fixed.

E. Prior Session (Previous Bill Numbers & House/Senate Votes).

This bill was introduced as HB 566 of 2023 and HB 946 of 2021. No action taken on either bill.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 728 Session of
2025

INTRODUCED BY KINKEAD, HILL-EVANS, OTTEN, GUENST, KENYATTA,
WAXMAN, McNEILL, RABB, MAYES, SANCHEZ, HOHENSTEIN, DEASY,
BOYD, PARKER, RIVERA, D. WILLIAMS, WARREN, MADDEN, PIELLI,
CEPEDA-FREYTIZ, KRAJEWSKI, GIRAL, SAPPEY, ABNEY, BOROWSKI,
D. MILLER AND KHAN, FEBRUARY 25, 2025

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 25, 2025

AN ACT

1 Amending Title 61 (Prisons and Parole) of the Pennsylvania
2 Consolidated Statutes, establishing the Identification Upon
3 Reentry Program.

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

6 Section 1. Title 61 of the Pennsylvania Consolidated
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 49A

9 IDENTIFICATION UPON REENTRY

10 Sec.

11 49A01. Scope of chapter.

12 49A02. Definitions.

13 49A03. Establishment.

14 49A04. Administration.

15 49A05. Guidelines.

16 49A06. Responsibilities of paying costs.

17 49A07. Rules and regulations.

1 § 49A01. Scope of chapter.

2 This chapter relates to the Identification Upon Reentry
3 Program.

4 § 49A02. Definitions.

5 The following words and phrases when used in this chapter
6 shall have the meanings given to them in this section unless the
7 context clearly indicates otherwise:

8 "Assist." Printing necessary forms, ensuring that an
9 eligible offender has filled forms out correctly with sufficient
10 information, facilitating communication between an eligible
11 offender and State agencies and keeping an eligible offender
12 updated on the developments of their case.

13 "Costs." Application fees and translation services and other
14 goods or services that require a payment from an eligible
15 offender.

16 "Eligible offender." An incarcerated individual who is to be
17 released from a State correctional institution and has decided
18 to participate in the program.

19 "Program." The Identification Upon Reentry Program
20 established under section 49A03 (relating to establishment).

21 § 49A03. Establishment.

22 The department, in collaboration with the Department of
23 Health and the Department of Transportation, shall establish the
24 Identification Upon Reentry Program to provide eligible
25 offenders with birth certificates, Social Security cards, photo
26 identification cards and driver's licenses upon release from a
27 State correctional institution.

28 § 49A04. Administration.

29 The program shall be administered as follows:

30 (1) The department, the Department of Health and the

1 Department of Transportation shall establish policies
2 necessary to carry out the program, including program
3 requirements and implementation.

4 (2) The department, the Department of Health and the
5 Department of Transportation may seek Federal or State
6 funding to support the program.

7 (3) The department, the Department of Health and the
8 Department of Transportation shall develop monitoring and
9 accountability systems to confirm that the program is being
10 efficiently carried out. The monitoring and accountability
11 systems shall include the submission of an annual report to
12 the Law and Justice Committee of the Senate and the Judiciary
13 Committee of the House of Representatives. The annual report
14 shall include the number and percentage of offenders released
15 with birth certificates, photo identification cards and
16 driver's licenses and the number and percentage of offenders
17 released without such documents and the reasons why.

18 § 49A05. Guidelines.

19 The following shall apply:

20 (1) Prior to the release of an eligible offender, the
21 department, in consultation with the Department of
22 Transportation, shall assist an eligible offender in
23 obtaining the following:

24 (i) a photo identification card; or

25 (ii) a driver's license.

26 (2) Once an eligible offender is made aware of the
27 eligible offender's ability to participate and available
28 options under the program, the eligible offender may opt out
29 of participation in the program.

30 (3) The department, in consultation with the Department

1 of Health and the Social Security Administration, shall
2 assist an eligible offender in obtaining the necessary
3 documents, including a Social Security card and birth
4 certificate, needed to apply for a driver's license or photo
5 identification card.

6 (4) If an eligible offender was born in another state or
7 became a United States citizen or a naturalized citizen, the
8 department shall assist the eligible offender in obtaining
9 the necessary documents from the appropriate agencies to
10 apply for a photo identification card or driver's license.

11 (5) Upon application, the Department of Transportation,
12 in cooperation with the department, shall issue a renewed or
13 replacement driver's license to an eligible offender deemed
14 eligible to drive. If an eligible offender's driver's license
15 is expired or the eligible offender is in need of a
16 replacement driver's license, the department, in cooperation
17 with the Department of Transportation, shall assist the
18 eligible offender with renewing the eligible offender's
19 driver's license or requesting a replacement.

20 (6) Upon application, the Department of Transportation,
21 in cooperation with the department, shall issue a new,
22 renewed or replacement photo identification card to an
23 eligible offender.

24 (7) If an eligible offender's driving privilege is under
25 a term or indefinite suspension by the Department of
26 Transportation, the department, in cooperation with the
27 Department of Transportation, shall provide the offender with
28 a restoration requirements letter and the department shall
29 assist the eligible offender in applying for a photo
30 identification card.

1 (8) If an eligible offender's driver's license is
2 expired or the eligible offender is in need of a replacement
3 driver's license, the department, in cooperation with the
4 Department of Transportation, shall assist the eligible
5 offender with renewing the eligible offender's driver's
6 license or requesting a replacement.

7 (9) If an eligible offender's driving privilege cannot
8 be reinstated prior to release, the department, in
9 cooperation with the Department of Transportation, shall
10 inform the eligible offender of the option to apply for an
11 occupational limited license or a probationary license and
12 provide information relating to occupational limited licenses
13 and probationary licenses.

14 § 49A06. Responsibilities of paying costs.

15 An eligible offender shall not be responsible for any costs
16 associated with the provisions of this chapter.

17 § 49A07. Rules and regulations.

18 The department, the Department of Health and the Department
19 of Transportation may promulgate rules and regulations necessary
20 to implement this chapter.

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

HOUSE OF REPRESENTATIVES DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB0728 PN0753	Prepared By:	David Vitale, Esq. (717) 705-7011,6791
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Kinthead, Emily		
Date:	2/26/2025		

A. Brief Concept

Establishes the Identification Upon Reentry Program to require the Department of Corrections to assist people who are transitioning from incarceration with obtaining identification.

C. Analysis of the Bill

Amends Title 61 by adding chapter 49A requiring the Department of Corrections, in collaboration the Department of Health with the Department of Transportation, to establish the Identification Upon Reentry Program to provide eligible offenders with identification upon release from a State correctional institution.

Said departments shall establish policies necessary to carry out the program, including program requirements and implementation. Additionally, said departments shall develop monitoring and accountability systems to confirm the program is being efficiently carried out and in connection therewith, submit an annual report to the Law and Justice Committee of the Senate and the Judiciary Committee of the House of Representatives.

Said departments may seek Federal or State funding to support the program. Said departments may additionally promulgate rules and regulations necessary to implement this chapter.

Guidelines:

Individuals incarcerated in a State Correctional Institution may opt out of the program, but only after being made aware of their ability to participate.

Prior to the release of an eligible offender, the Department of Corrections, in consultation with the Department of Transportation, shall assist the eligible offender in obtaining a photo identification card or driver's license.

The Department of Corrections, in consultation with the Department of Health, the Social Security Administration and other appropriate agencies, shall assist in obtaining necessary documents needed to apply for a Social Security card, birth certificate, including birth certificates from other states, or proof of naturalization.

Upon application, the Department of Transportation, shall issue a driver's license if the individual is otherwise eligible to drive.

If the license is expired or a replacement is needed, the Department of Corrections shall assist the individual with the renewal application or with requesting a replacement.

If the license is suspended, the Department of Transportation shall provide a restoration letter and the Department of Corrections shall assist the individual in applying for a photo ID card. Further, said departments shall inform the individual of the option to apply for an occupational limited license or a probationary license and provide information relating to occupational limited licenses and probationary licenses.

An "eligible offender" shall not be responsible for any costs associated with the provisions of this chapter.

Definitions:

"Assist." Printing necessary forms, ensuring that an eligible offender has filled forms out correctly with sufficient information, facilitating communication between an eligible offender and State agencies and keeping an eligible offender updated on the developments of their case.

"Costs." Application fees and translation services and other goods or services that require a payment from an eligible offender.

"Eligible offender." An incarcerated individual who is to be released from a State correctional institution and has decided to participate in the program.

"Program." The Identification Upon Reentry Program established under section 49A03 (relating to establishment).

Effective Date:

60 Days.

G. Relevant Existing Laws

Currently DOC is providing these services to approximately 80% of individuals exiting incarceration. The 20% not receiving these services typically refuse the service.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

House Bill 1601 passed the House on March 27, 2024.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 837 Session of
2025

INTRODUCED BY SHUSTERMAN, HILL-EVANS, KINKEAD, SANCHEZ,
HANBIDGE, PIELLI, CEPEDA-FREYTIZ, SCHLOSSBERG, KHAN, DALEY,
DONAHUE, KENYATTA, BOYD AND CURRY, MARCH 10, 2025

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 10, 2025

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in firearms and other dangerous
3 articles, providing for limit on handgun purchases; and
4 establishing the Violence Prevention Account.

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

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

9 § 6111.6. Limit on handgun purchases.

10 (a) Purchase of handgun.--No person may purchase more than
11 one handgun in this Commonwealth within a 30-day period.

12 (b) Sale of handgun.--No person may sell or cause to be sold
13 to a person in this Commonwealth more than one handgun within a
14 30-day period.

15 (c) Exceptions.--This section shall not apply to the
16 following:

17 (1) A licensed firearm dealer.

18 (2) A licensed firearm collector.

1 (3) A law enforcement agency or an agency authorized to
2 perform law enforcement duties.

3 (4) State and local correctional facilities.

4 (5) A private security company licensed to do business
5 within this Commonwealth.

6 (6) The purchase or sale of antique firearms.

7 (7) A person whose handgun is stolen or irretrievably
8 lost if:

9 (i) the person provides the seller with an official
10 copy of the police report of the lost or stolen handgun,
11 or a summary of the report on a form provided by the
12 Pennsylvania State Police;

13 (ii) the police report or summary contains the name
14 and address of the handgun owner, the description of the
15 handgun, the location of the loss or theft, the date of
16 the loss or theft and the date the loss or theft was
17 reported to the law enforcement agency;

18 (iii) the date of the loss or theft as reflected on
19 the police report or summary occurred within 30 days of
20 the person's attempt to replace the handgun; and

21 (iv) the seller attaches an official copy of the
22 police report or summary of the report to the original
23 sales receipt or other document evidencing the original
24 sale and retains the sales receipt or other document for
25 the period prescribed by regulation of the Pennsylvania
26 State Police.

27 (d) Grading.--

28 (1) Except as provided in paragraph (2), a person that
29 is convicted of violating subsection (a) or (b) commits a
30 misdemeanor of the third degree.

1 (2) A person that, after being sentenced under paragraph
2 (1), is convicted of violating subsection (a) or (b) commits
3 a felony of the third degree.

4 (e) Disposition of fines collected.--A court imposing and
5 collecting a fine for a violation of subsection (a) or (b) shall
6 transfer the fines collected to the State Treasurer for deposit
7 into the account.

8 (f) Violence Prevention Account.--The Violence Prevention
9 Account is established within the General Fund as a nonlapsing,
10 restricted receipt account. Money in the account is appropriated
11 on a continuing basis to the Pennsylvania Commission on Crime
12 and Delinquency exclusively for purposes of violence prevention,
13 including youth education and activities designed to prevent
14 violence and grants to law enforcement agencies for equipment
15 and training designed to prevent gun-related injuries.

16 (g) Notice.--A seller shall notify each prospective
17 purchaser that the purchase of more than one handgun in a 30-day
18 period is prohibited under this section and of the applicable
19 penalties.

20 (h) Handgun purchase history check.--In addition to any
21 other duty prescribed by this section, a seller of a handgun
22 shall request the Pennsylvania State Police to conduct a handgun
23 purchase history check to investigate whether the prospective
24 handgun purchaser is in compliance with this section. A handgun
25 purchase history check shall be conducted in accordance with the
26 procedures governing other background checks under this
27 subchapter. A handgun purchase history check shall be conducted
28 at the same time any criminal history, juvenile delinquency or
29 mental health records check is required for a firearm purchase
30 under this subchapter. Information related to a handgun purchase

1 provided to the Pennsylvania State Police by a seller may be
2 retained by the Pennsylvania State Police as necessary to
3 monitor compliance with this section.

4 (i) Definitions.--As used in this section, the following
5 words and phrases shall have the meanings given to them in this
6 subsection unless the content clearly indicates otherwise:

7 "Account." The Violence Prevention Account established under
8 subsection (f).

9 "Handgun." Either of the following:

10 (1) A firearm that has a short stock and is designed to
11 be held and fired by the use of a single hand.

12 (2) Any combination of parts from which a firearm
13 described under paragraph (1) can be assembled.

14 "Licensed firearm collector." A person who collects firearms
15 and is licensed as a collector under 18 U.S.C. § 923 (relating
16 to licensing).

17 "Licensed firearm dealer." A person who is licensed as a
18 firearm dealer under 18 U.S.C. § 923.

19 "Purchase." Does not include the exchange or replacement of
20 a handgun by a seller for a handgun purchased from the seller by
21 the same person seeking the exchange or replacement within the
22 30-day period immediately preceding the date of exchange or
23 replacement.

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

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB0837 PN0867	Prepared By:	Michelle Batt, Esq. (717) 705-7011,6791
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Shusterman, Melissa		
Date:	3/10/2025		

A. Brief Concept

Provides for a limit on the number of handguns an individual may purchase to one per 30-day period.

C. Analysis of the Bill

Amends Title 18 Chapter 61 (Firearms and Other Dangerous Articles) by adding Section 6111.6 (Limit on handgun purchases), establishing the Violence Prevention Account, the *handgun* purchase history check, and providing that, within this Commonwealth:

- no person may purchase more than one **handgun** within a 30-day period
- no person may sell or cause to be sold to a person more than one **handgun** within a 30-day period.

The term "purchase" excludes exchanges.

The term "handgun" means a firearm that has a short stock and is designed to be held and fired by the use of a single hand or any combination of parts from which such a firearm can be assembled.

Notification requirement: Sellers are required to notify each prospective buyer of this limit.

Exceptions: this limit shall not apply to:

1. Licensed firearm dealers pursuant to 18 U.S.C. sec. 923 (related to licensing),
2. Licensed firearm collectors pursuant to 18 U.S.C. sec. 923,
3. Law enforcement agencies or agencies authorized to perform law enforcement duties,
4. State and local correctional facilities,
5. Private security companies licensed to do business within the Commonwealth,
6. The purchase and sale of antique firearms,
7. A person who handgun is stolen or irretrievably lost if the person provides the seller with a police report containing the name and address of the handgun owner, the description of the handgun, the date and location of the loss or theft, and the date the loss of theft was reported. The seller must keep a copy of this report.

Penalties: A first-time violation is a misdemeanor of the third degree and second or subsequent violations is a felony of the third degree.

Violence Prevention Account: Any fines imposed and collected in connection with a conviction under this section shall be transferred to the State Treasurer for deposit into the Violence Prevention Account, which this bill would establish within the General Fund. Money in the Violence Prevention Account is appropriated on a continuing basis to the Pennsylvania Commission on Crime and Delinquency exclusively for purposes of violence prevention.

Handgun purchase history check: All sales of handguns must be reported to the Pennsylvania State Police, and no sale of a handgun may occur prior to conducting a handgun purchase history check.

Effective Date:

60 Days.

G. Relevant Existing Laws

No limits at this time.

E. Prior Session (Previous Bill Numbers & House/Senate Votes).

HB 1176 of 2023, HB 413 of 2021 and HB 162 of 2019.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1099 Session of
2025

INTRODUCED BY CEPHAS, KENYATTA, GIRAL, KINKEAD, VENKAT, WAXMAN,
BURGOS, HOHENSTEIN, FIEDLER, SANCHEZ, KHAN, HANBIDGE, GUENST,
WARREN, HILL-EVANS, SCHLOSSBERG, CEPEDA-FREYTIZ, MALAGARI,
DONAHUE, FREEMAN, WEBSTER, O'MARA, CERRATO, GREEN, BOROWSKI,
BRENNAN, ISAACSON AND FRANKEL, APRIL 1, 2025

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 1, 2025

AN ACT

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

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 § 6143. Undetectable firearms.

9 (a) Offense defined.--It shall be unlawful for a person to
10 manufacture, import, sell, ship, deliver, possess, transfer or
11 receive a firearm constructed entirely of a nonmetal substance,
12 or a firearm that does not include at least one major component
13 of a firearm constructed entirely of a metal substance,
14 including a barrel, slide, cylinder, frame or receiver, which
15 meets any of the following:

16 (1) After removal of all parts other than major
17 components, the firearm is not detectable as the security

1 exemplar by walk-through metal detectors that are calibrated
2 and operated to detect the security exemplar.

3 (2) The firearm includes a major component of which,
4 when subject to inspection by the types of detection devices
5 commonly used at airports for security screening, does not
6 generate an image that accurately depicts the shape of the
7 component.

8 (b) Grading.--An offense under this section constitutes a
9 felony of the third degree.

10 (c) Definitions.--As used in this section, the following
11 words and phrases shall have the meanings given to them in this
12 subsection unless the context clearly indicates otherwise:

13 "Major component." With respect to a firearm, the term shall
14 include any of the following:

15 (1) The barrel.

16 (2) The slide or cylinder.

17 (3) The frame or receiver.

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

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1099

Sponsor: Shusterman

Printer's No. 1213

1 Amend Bill, page 1, lines 1 through 17; page 2, lines 1
2 through 18; by striking out all of said lines on said pages and
3 inserting

4 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
5 Consolidated Statutes, in firearms and other dangerous
6 articles, further providing for definitions and for persons
7 not to possess, use, manufacture, control, sell or transfer
8 firearms, prohibiting undetectable firearms and providing for
9 privately made firearms and for valid serial numbers
10 required.

11 The General Assembly of the Commonwealth of Pennsylvania hereby
12 enacts as follows:

13 Section 1. Section 6102 of Title 18 of the Pennsylvania
14 Consolidated Statutes is amended by adding definitions to read:
15 § 6102. Definitions.

16 Subject to additional definitions contained in subsequent
17 provisions of this subchapter which are applicable to specific
18 provisions of this subchapter, the following words and phrases,
19 when used in this subchapter shall have, unless the context
20 clearly indicates otherwise, the meanings given to them in this
21 section:

22 * * *

23 "Federal firearms license." A valid license issued under 18
24 U.S.C. § 923 (relating to licensing) and the regulations
25 promulgated under that law.

26 "Federal licensee authorized to serialize firearms." A
27 person that holds a valid Federal license authorizing the person
28 to imprint serial numbers onto firearms and completed or
29 unfinished frames or receivers in accordance with 18 U.S.C. Ch.
30 44 (relating to firearms) and the regulations promulgated under
31 that law.

32 "Federally licensed gunsmith, manufacturer or importer." A
33 person that holds a valid gunsmith license or license to
34 manufacture or import firearms issued according to 18 U.S.C. Ch.
35 44 and the regulations promulgated under that law.

36 * * *

37 "Frame." The term has the meaning attributed to it in 18

1 U.S.C. Ch. 44 and the regulations promulgated under that law.

2 * * *

3 "License to manufacture firearms." A valid license to
4 manufacture firearms according to 18 U.S.C. Ch. 44 and the
5 regulations promulgated under that law.

6 * * *

7 "Manufacture or assemble." To fabricate, construct, fit
8 together component parts of or otherwise produce a firearm or
9 completed or unfinished frame or receiver, including through an
10 additive, subtractive or other process.

11 * * *

12 "Receiver." The term has the meaning attributed to it in 18
13 U.S.C. Ch. 44 and the regulations promulgated under that law.

14 * * *

15 "Security exemplar." The term has the meaning attributed to
16 it in 18 U.S.C. Ch. 44 and the regulations promulgated under
17 that law.

18 * * *

19 "Three-dimensional printer." A computer-aided manufacturing
20 device capable of producing a three-dimensional object from a
21 three-dimensional digital model through an additive
22 manufacturing process that involves the layering of two-
23 dimensional cross sections formed of a resin or similar material
24 that are fused together to form a three-dimensional object.

25 "Unfinished frame or receiver." As follows:

26 (1) A forging, casting, printing, extrusion, machined
27 body or similar item that:

28 (i) is designed to or may readily be completed,
29 assembled or otherwise converted to function as a frame
30 or receiver; or

31 (ii) is marketed or sold to the public to become or
32 be used as the frame or receiver of a functional firearm
33 once completed, assembled or otherwise converted.

34 (2) The term does not include a component designed and
35 intended for use in an antique weapon.

36 "Valid serial number." A serial number that has been
37 imprinted by a Federal licensee authorized to serialize firearms
38 in accordance with Federal law or that has otherwise been
39 assigned to a firearm or completed or unfinished frame or
40 receiver in accordance with the laws of this Commonwealth or 26
41 U.S.C. Ch. 53 (relating to machine guns, destructive devices,
42 and certain other firearms).

43 Section 2. Section 6105(g) of Title 18 is amended to read:
44 § 6105. Persons not to possess, use, manufacture, control, sell
45 or transfer firearms.

46 * * *

47 (g) Other restrictions.--

48 (1) Nothing in this section shall exempt a person from a
49 disability in relation to the possession or control of a
50 firearm which is imposed as a condition of probation or
51 parole or which is imposed pursuant to the provision of any

1 law other than this section.

2 (2) It is unlawful for a person who is prohibited from
3 possessing, using, controlling, selling, purchasing,
4 transferring or manufacturing any firearm under this section
5 to knowingly allow, facilitate, aid, abet or cause the
6 manufacture or assembling of a firearm or completed or
7 unfinished frame or receiver.

8 Section 3. Title 18 is amended by adding sections to read:
9 § 6105.3. Undetectable firearm prohibited.

10 (a) Prohibition.--A person may not knowingly manufacture or
11 assemble, or cause to be manufactured or assembled, import,
12 sell, offer for sale, transfer or possess an undetectable
13 firearm.

14 (b) Definitions.--As used in this section, the following
15 words and phrases shall have the meanings given to them in this
16 subsection unless the context clearly indicates otherwise:

17 "Firearm." As defined in section 6105(i) (relating to
18 persons not to possess, use, manufacture, control, sell or
19 transfer firearms).

20 "Major component." The term has the meaning attributed to it
21 in 18 U.S.C. § 922 (relating to unlawful acts).

22 "Undetectable firearm." A firearm manufactured, assembled or
23 otherwise composed entirely of nonmetal substances if:

24 (1) after removal of all parts except major components,
25 the firearm is not detectable as a security exemplar by a
26 walk-through metal detector calibrated to detect the security
27 exemplar; or

28 (2) the firearm includes a major component that, if
29 subjected to inspection by the types of X-ray machines
30 commonly used at airports, would not generate an image that
31 accurately depicts the shape of the component.

32 § 6129. Privately made firearms.

33 (a) License to manufacture firearms required.--

34 (1) Except as provided in paragraph (2), it shall be
35 unlawful to manufacture or assemble more than three firearms
36 or completed or unfinished frames or receivers in this
37 Commonwealth in a calendar year without a license to
38 manufacture firearms.

39 (2) Paragraph (1) does not apply to a person who:

40 (i) manufactures or assembles less than four
41 firearms or completed or unfinished frames or receivers
42 in this Commonwealth;

43 (ii) does not have a license to manufacture firearms
44 and is not prohibited from possessing a firearm under
45 section 6105 (relating to persons not to possess, use,
46 manufacture, control, sell or transfer firearms); and

47 (iii) complies with subsection (b).

48 (3) It shall be unlawful for a person to use a three-
49 dimensional printer or computer numerical control milling
50 machine to manufacture or assemble a firearm or completed or
51 unfinished frame or receiver in this Commonwealth without a

1 license to manufacture firearms.

2 (b) Procedure for unlicensed manufacture.--A person who
3 manufactures or assembles a firearm or completed or unfinished
4 frame or receiver in this Commonwealth, does not have a license
5 to manufacture firearms and is not prohibited from possessing a
6 firearm under section 6105 shall:

7 (1) not later than 48 hours after manufacturing or
8 assembling the firearm or completed or unfinished frame or
9 receiver, apply to a Federal licensee authorized to serialize
10 firearms for a valid serial number; and

11 (2) not later than 10 days after receiving a valid
12 serial number from a Federal licensee authorized to serialize
13 firearms:

14 (i) imprint the valid serial number on the firearm
15 or completed or unfinished frame or receiver in a manner
16 that meets or exceeds the requirements imposed on
17 licensed importers and licensed manufacturers of firearms
18 under 18 U.S.C. § 923(i) (relating to licensing); and

19 (ii) notify the commissioner, in a form and manner
20 prescribed by the commissioner, of the valid serial
21 number of the firearm or completed or unfinished frame or
22 receiver and any other information to identify the
23 firearm or completed or unfinished frame or receiver or
24 the person as requested by the commissioner.

25 (c) Sale or transfer prohibited.--It is unlawful for a
26 person to sell or transfer ownership of a firearm that was
27 manufactured or assembled by a person who does not have a
28 license to manufacture firearms.

29 (d) Definition.--As used in this section, the term "firearm"
30 has the same meaning as that term is defined in section 6105(i).
31 § 6130. Valid serial numbers required.

32 (a) Prohibition.--It is unlawful for a person to knowingly
33 possess, use, control, manufacture or assemble, cause to be
34 manufactured or assembled, import, purchase, sell, offer for
35 sale, transfer ownership of any firearm or completed or
36 unfinished frame or receiver that is not imprinted with a valid
37 serial number.

38 (b) Time period for compliance.--A person who, prior to the
39 effective date of this section, possessed a firearm or completed
40 or unfinished frame or receiver that is not imprinted with a
41 valid serial number, shall bring the firearm or completed or
42 unfinished frame into compliance with this section not later
43 than 90 days after the effective date of this section.

44 (c) New residents.--A person who becomes a resident of this
45 Commonwealth after the effective date of this section and owns a
46 firearm or completed or unfinished frame or receiver shall, not
47 later than 90 days after becoming a resident of this
48 Commonwealth:

49 (1) cause to be imprinted a valid serial number on the
50 firearm or completed or unfinished frame or receiver;

51 (2) remove the firearm or completed or unfinished frame

1 or receiver from this Commonwealth; or

2 (3) otherwise comply with this section.

3 (d) Manufacture.--

4 (1) Only a holder of a license to manufacture firearms
5 may use a three-dimensional printer or computer numerical
6 control milling machine to manufacture or assemble a firearm
7 or completed or unfinished frame or receiver in this
8 Commonwealth.

9 (2) Only a holder of a Federal firearms license may
10 manufacture up to three unfinished frames or receivers by
11 means other than a three-dimensional printer or computer
12 numerical control milling machine in a calendar year. Only a
13 holder of a license to manufacture firearms may manufacture
14 more than three unfinished frames or receivers in a calendar
15 year and may do so by three-dimensional printer, computer
16 numerical control milling machine or any method otherwise
17 allowed under law.

18 (3) A person that manufactures or assembles a firearm or
19 completed or unfinished frame or receiver in this
20 Commonwealth and does not have a Federal license to
21 manufacture firearms, shall, not later than 10 days after
22 manufacturing or assembling the firearm or completed or
23 unfinished frame or receiver, notify the commissioner, in a
24 form and manner prescribed by the commissioner, and provide
25 any identifying information concerning the firearm or
26 completed or unfinished frame or receiver and the owner of
27 the firearm or completed or unfinished frame or receiver as
28 requested by the commissioner, including the weapon's serial
29 number.

30 (4) It is unlawful for a person to sell or transfer
31 ownership of a firearm that was manufactured or assembled by
32 a person that does not have a Federal license to manufacture
33 firearms.

34 (e) Exceptions.--This section does not apply to:

35 (1) the sale, offer for sale or transfer of ownership of
36 a firearm or completed or unfinished frame or receiver to a
37 law enforcement agency;

38 (2) the manufacture or assembly, importation, purchase,
39 transfer or possession of a firearm or completed or
40 unfinished frame or receiver by a law enforcement agency for
41 law enforcement purposes;

42 (3) the sale or transfer of ownership of a firearm or
43 completed or unfinished frame or receiver to a federally
44 licensed gunsmith, manufacturer or importer;

45 (4) the purchase or possession of a firearm or completed
46 or unfinished frame or receiver by a federally licensed
47 gunsmith, manufacturer or importer;

48 (5) a member of the armed forces of the United States or
49 the National Guard, while on duty and acting within the scope
50 and course of employment, or any law enforcement agency or
51 forensic laboratory;

1 (6) a common carrier, motor carrier, air carrier or
2 carrier affiliated with an air carrier through common
3 controlling interest that is subject to 49 U.S.C. (relating
4 to transportation), or an authorized agent of the carrier,
5 when acting in the course and scope of duties incident to the
6 receipt, processing, transportation or delivery of property;

7 (7) an authorized representative of a Federal, State or
8 local government who receives a firearm or completed or
9 unfinished frame or receiver as part of an authorized,
10 voluntary buyback program in which the governmental entity is
11 buying or receiving weapons from private individuals; or

12 (8) the possession and disposition of a firearm or
13 completed or unfinished frame or receiver by a person who:

14 (i) is not prohibited by Federal or State law from
15 possessing the weapon;

16 (ii) possesses the firearm or completed or
17 unfinished frame or receiver no longer than necessary to
18 deliver it to a law enforcement agency for the law
19 enforcement agency's disposition according to law; and

20 (iii) if transporting the firearm or completed or
21 unfinished frame or receiver, is transporting it to a law
22 enforcement agency in order to deliver it to the law
23 enforcement agency for the law enforcement agency's
24 disposition according to law.

25 (f) Definition.--As used in this section, the term "firearm"
26 shall have the same meaning as that term is defined in section
27 6105(i) (relating to persons not to possess, use, manufacture,
28 control, sell or transfer firearms), except that the term shall
29 not include antique firearms as defined in section 6118
30 (relating to antique firearms).

31 Section 4. This act shall take effect in 60 days.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB1099 PN1213	Prepared By:	Michelle Batt, Esq.
Committee:	Judiciary		(717) 705-7011,6792
Sponsor:	Cephas, Morgan, and; Kenyatta, Malcom	Executive Director:	David Vitale, Esq.
Date:	5/21/2025		

A. Brief Concept

Provides for the offense of manufacture, import, sale, delivery, possession, transfer or receipt of undetectable firearms.

C. Analysis of the Bill

Amends Title 18 by adding section 6143 (Undetectable firearms) to prohibit the manufacture, import, sale, shipment, delivery, possession, transfer or receipt of:

- a firearm constructed entirely of a nonmetal substance, or
- a firearm constructed entirely of metal that does not include at least one major component

IF any one of the following is true:

(1) After removal of all parts other than major components, the firearm is not detectable as the security exemplar by walk-through metal detectors that are calibrated and operated to detect the security exemplar. by walk-through metal detectors.

OR

(2) The firearm includes a major component of which, when subject to inspection by the types of detection devices commonly used at airports for security screening, does not generate an image that accurately depicts the shape of the component.

An offense under this section constitutes a felony of the third degree.

"Major component" is defined to include any of the following: (1) The barrel. (2) The slide or cylinder. (3) The frame or receiver.

Effective Date:

60 Days.

G. Relevant Existing Laws

"Firearm." Any pistol or revolver with a barrel length less than 15 inches, any shotgun with a barrel length less than 18 inches or any rifle with a barrel length less than 16 inches, or any pistol, revolver, rifle or shotgun with an overall length of less than 26 inches. The barrel length of a firearm shall be determined by measuring from the muzzle of the barrel to the face of the closed action, bolt or cylinder, whichever is applicable.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

HB 776 of 2023 was referred to the House Judiciary Committee on March 30, 2023, and saw no further action prior to sine die.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1593 Session of
2025

INTRODUCED BY WARREN, VENKAT, VITALI, SCHLOSSBERG, KHAN,
SAMUELSON, SANCHEZ, PIELLI, KINKEAD, HANBIDGE, HOWARD, HILL-
EVANS, GIRAL, CIRESI, DONAHUE, BRENNAN, FRANKEL, HOHENSTEIN,
FIEDLER, SHUSTERMAN, FREEMAN, BOROWSKI, O'MARA, OTTEN, DEASY,
CERRATO, MALAGARI, CURRY AND MARKOSEK, JUNE 11, 2025

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 11, 2025

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in firearms and other dangerous
3 articles, repealing provisions relating to sale or transfer
4 of firearms.

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

7 Section 1. Section 6111(f)(2) of Title 18 of the
8 Pennsylvania Consolidated Statutes is repealed:

9 § 6111. Sale or transfer of firearms.

10 * * *

11 (f) Application of section.--

12 * * *

13 [(2) The provisions contained in subsections (a) and (c)
14 shall only apply to pistols or revolvers with a barrel length
15 of less than 15 inches, any shotgun with a barrel length of
16 less than 18 inches, any rifle with a barrel length of less
17 than 16 inches or any firearm with an overall length of less

1 than 26 inches.]

2 * * *

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

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1593

Sponsor:Kauffman

Printer's No. 1905

1 Amend Bill, page 1, lines 1 through 17; page 2, lines 1
2 through 3; by striking out all of said lines on said pages and
3 inserting

4 Amending Titles 18 (Crimes and Offenses) and 23 (Domestic
5 Relations) of the Pennsylvania Consolidated Statutes, in
6 firearms and other dangerous articles, repealing provisions
7 relating to firearms not to be carried without a license,
8 providing for license not required, repealing provisions
9 relating to carrying firearms on public streets or public
10 property in Philadelphia, further providing for prohibited
11 conduct during emergency, providing for sportsman's firearm
12 permit, further providing for licenses and for antique
13 firearms and repealing provisions relating to proof of
14 license and exception; and making editorial changes.

15 The General Assembly finds that:

16 (1) The laws in existence regulating firearms ownership,
17 possession and use are ineffectual in preventing crime and
18 only interfere with the natural rights of law-abiding
19 citizens.

20 (2) It is necessary to codify the inherent right to the
21 carrying of firearms, whether openly or concealed, and that
22 the right to self-defense is an inherent natural right that
23 shall not be questioned as stated in section 21 of Article I
24 of the Constitution of Pennsylvania.

25 The General Assembly of the Commonwealth of Pennsylvania hereby
26 enacts as follows:

27 Section 1. Sections 913(b)(3) and 6105.2(g)(1) of Title 18
28 of the Pennsylvania Consolidated Statutes are amended to read:
29 § 913. Possession of firearm or other dangerous weapon in court
30 facility.

31 * * *

32 (b) Grading.--

33 * * *

34 (3) An offense under subsection (a)(1) is a summary
35 offense if the person was carrying a firearm under section
36 [6106(b) (relating to firearms not to be carried without a
37 license) or] 6109 (relating to licenses) and failed to check

1 the firearm under subsection (e) prior to entering the court
2 facility.

3 * * *

4 § 6105.2. Relinquishment of firearms and firearm licenses by
5 convicted persons.

6 * * *

7 (g) Relinquishment of licenses.--

8 (1) A person convicted of a crime resulting in a firearm
9 disability pursuant to section 6105(c)(9) shall also
10 relinquish to the sheriff any firearm license issued under
11 section [6106 (relating to firearms not to be carried without
12 a license) or] 6109 (relating to licenses) or 23 Pa.C.S. §
13 6108.3 (relating to relinquishment to third party for
14 safekeeping).

15 * * *

16 Section 2. Section 6106 of Title 18 is repealed:

17 [§ 6106. Firearms not to be carried without a license.

18 (a) Offense defined.--

19 (1) Except as provided in paragraph (2), any person who
20 carries a firearm in any vehicle or any person who carries a
21 firearm concealed on or about his person, except in his place
22 of abode or fixed place of business, without a valid and
23 lawfully issued license under this chapter commits a felony
24 of the third degree.

25 (2) A person who is otherwise eligible to possess a
26 valid license under this chapter but carries a firearm in any
27 vehicle or any person who carries a firearm concealed on or
28 about his person, except in his place of abode or fixed place
29 of business, without a valid and lawfully issued license and
30 has not committed any other criminal violation commits a
31 misdemeanor of the first degree.

32 (b) Exceptions.--The provisions of subsection (a) shall not
33 apply to:

34 (1) Constables, sheriffs, prison or jail wardens, or
35 their deputies, policemen of this Commonwealth or its
36 political subdivisions, or other law-enforcement officers.

37 (2) Members of the army, navy, marine corps, air force
38 or coast guard of the United States or of the National Guard
39 or organized reserves when on duty.

40 (3) The regularly enrolled members of any organization
41 duly organized to purchase or receive such firearms from the
42 United States or from this Commonwealth.

43 (4) Any persons engaged in target shooting with a
44 firearm, if such persons are at or are going to or from their
45 places of assembly or target practice and if, while going to
46 or from their places of assembly or target practice, the
47 firearm is not loaded.

48 (5) Officers or employees of the United States duly
49 authorized to carry a concealed firearm.

50 (6) Agents, messengers and other employees of common
51 carriers, banks, or business firms, whose duties require them

1 to protect moneys, valuables and other property in the
2 discharge of such duties.

3 (7) Any person engaged in the business of manufacturing,
4 repairing, or dealing in firearms, or the agent or
5 representative of any such person, having in his possession,
6 using or carrying a firearm in the usual or ordinary course
7 of such business.

8 (8) Any person while carrying a firearm which is not
9 loaded and is in a secure wrapper from the place of purchase
10 to his home or place of business, or to a place of repair,
11 sale or appraisal or back to his home or place of business,
12 or in moving from one place of abode or business to another
13 or from his home to a vacation or recreational home or
14 dwelling or back, or to recover stolen property under section
15 6111.1(b)(4) (relating to Pennsylvania State Police), or to a
16 place of instruction intended to teach the safe handling, use
17 or maintenance of firearms or back or to a location to which
18 the person has been directed to relinquish firearms under 23
19 Pa.C.S. § 6108 (relating to relief) or back upon return of
20 the relinquished firearm or to a licensed dealer's place of
21 business for relinquishment pursuant to 23 Pa.C.S. § 6108.2
22 (relating to relinquishment for consignment sale, lawful
23 transfer or safekeeping) or back upon return of the
24 relinquished firearm or to a location for safekeeping
25 pursuant to 23 Pa.C.S. § 6108.3 (relating to relinquishment
26 to third party for safekeeping) or back upon return of the
27 relinquished firearm.

28 (9) Persons licensed to hunt, take furbearers or fish in
29 this Commonwealth, if such persons are actually hunting,
30 taking furbearers or fishing as permitted by such license, or
31 are going to the places where they desire to hunt, take
32 furbearers or fish or returning from such places.

33 (10) Persons training dogs, if such persons are actually
34 training dogs during the regular training season.

35 (11) Any person while carrying a firearm in any vehicle,
36 which person possesses a valid and lawfully issued license
37 for that firearm which has been issued under the laws of the
38 United States or any other state.

39 (12) A person who has a lawfully issued license to carry
40 a firearm pursuant to section 6109 (relating to licenses) and
41 that said license expired within six months prior to the date
42 of arrest and that the individual is otherwise eligible for
43 renewal of the license.

44 (13) Any person who is otherwise eligible to possess a
45 firearm under this chapter and who is operating a motor
46 vehicle which is registered in the person's name or the name
47 of a spouse or parent and which contains a firearm for which
48 a valid license has been issued pursuant to section 6109 to
49 the spouse or parent owning the firearm.

50 (14) A person lawfully engaged in the interstate
51 transportation of a firearm as defined under 18 U.S.C. §

1 921(a)(3) (relating to definitions) in compliance with 18
2 U.S.C. § 926A (relating to interstate transportation of
3 firearms).

4 (15) Any person who possesses a valid and lawfully
5 issued license or permit to carry a firearm which has been
6 issued under the laws of another state, regardless of whether
7 a reciprocity agreement exists between the Commonwealth and
8 the state under section 6109(k), provided:

9 (i) The state provides a reciprocal privilege for
10 individuals licensed to carry firearms under section
11 6109.

12 (ii) The Attorney General has determined that the
13 firearm laws of the state are similar to the firearm laws
14 of this Commonwealth.

15 (16) Any person holding a license in accordance with
16 section 6109(f)(3).

17 (c) Sportsman's firearm permit.--

18 (1) Before any exception shall be granted under
19 paragraph (b)(9) or (10) of this section to any person 18
20 years of age or older licensed to hunt, trap or fish or who
21 has been issued a permit relating to hunting dogs, such
22 person shall, at the time of securing his hunting, furtaking
23 or fishing license or any time after such license has been
24 issued, secure a sportsman's firearm permit from the county
25 treasurer. The sportsman's firearm permit shall be issued
26 immediately and be valid throughout this Commonwealth for a
27 period of five years from the date of issue for any legal
28 firearm, when carried in conjunction with a valid hunting,
29 furtaking or fishing license or permit relating to hunting
30 dogs. The sportsman's firearm permit shall be in triplicate
31 on a form to be furnished by the Pennsylvania State Police.
32 The original permit shall be delivered to the person, and the
33 first copy thereof, within seven days, shall be forwarded to
34 the Commissioner of the Pennsylvania State Police by the
35 county treasurer. The second copy shall be retained by the
36 county treasurer for a period of two years from the date of
37 expiration. The county treasurer shall be entitled to collect
38 a fee of not more than \$6 for each such permit issued, which
39 shall include the cost of any official form. The Pennsylvania
40 State Police may recover from the county treasurer the cost
41 of any such form, but may not charge more than \$1 for each
42 official permit form furnished to the county treasurer.

43 (2) Any person who sells or attempts to sell a
44 sportsman's firearm permit for a fee in excess of that amount
45 fixed under this subsection commits a summary offense.

46 (d) Revocation of registration.--Any registration of a
47 firearm under subsection (c) of this section may be revoked by
48 the county treasurer who issued it, upon written notice to the
49 holder thereof.

50 (e) Definitions.--

51 (1) For purposes of subsection (b)(3), (4), (5), (7) and

1 (8), the term "firearm" shall include any weapon which is
2 designed to or may readily be converted to expel any
3 projectile by the action of an explosive or the frame or
4 receiver of the weapon.

5 (2) As used in this section, the phrase "place of
6 instruction" shall include any hunting club, rifle club,
7 rifle range, pistol range, shooting range, the premises of a
8 licensed firearms dealer or a lawful gun show or meet.]

9 Section 3. Section 6106.1(a) of Title 18 is amended to read:

10 § 6106.1. Carrying loaded weapons other than firearms.

11 (a) General rule.--Except as provided in Title 34 (relating
12 to game), no person shall carry a loaded pistol, revolver,
13 shotgun or rifle, other than a firearm as defined in section
14 6102 (relating to definitions), in any vehicle. [The provisions
15 of this section shall not apply to persons excepted from the
16 requirement of a license to carry firearms under section 6106(b)
17 (1), (2), (5) or (6) (relating to firearms not to be carried
18 without a license) nor shall the provisions of this section be
19 construed to permit persons to carry firearms in a vehicle where
20 such conduct is prohibited by section 6106.]

21 * * *

22 Section 4. Title 18 is amended by adding a section to read:
23 § 6106.2. License not required.

24 (a) Declaration.--Every person present in this Commonwealth
25 shall have an affirmative, fundamental and constitutional right
26 to keep and bear firearms, including the right to carry openly
27 or concealed, carry loaded or unloaded, train with, transport,
28 possess, use, acquire, purchase, transfer, inherit, buy, sell,
29 give or otherwise dispose of or receive any firearm or self-
30 defense device without a license, permission or restriction of
31 any kind from or by this Commonwealth or any of its political
32 subdivisions.

33 (b) Optional license.--Obtaining a license to carry a
34 firearm under this chapter shall be optional. The voluntary
35 nature of the license may not be construed to require that any
36 person obtain a license to carry a firearm under this chapter.

37 Section 5. Section 6108 of Title 18 is repealed:
38 [§ 6108. Carrying firearms on public streets or public property
39 in Philadelphia.

40 No person shall carry a firearm, rifle or shotgun at any time
41 upon the public streets or upon any public property in a city of
42 the first class unless:

43 (1) such person is licensed to carry a firearm; or

44 (2) such person is exempt from licensing under section

45 6106(b) of this title (relating to firearms not to be carried
46 without a license).]

47 Section 6. Section 6107(a)(2) of Title 18 is amended to
48 read:

49 § 6107. Prohibited conduct during emergency.

50 (a) General rule.--No person shall carry a firearm upon the
51 public streets or upon any public property during an emergency

1 proclaimed by a State or municipal governmental executive unless
2 that person is:

3 * * *

4 (2) Licensed to carry firearms under section 6109
5 (relating to licenses) [or is exempt from licensing under
6 section 6106(b) (relating to firearms not to be carried
7 without a license)].

8 * * *

9 Section 7. Title 18 is amended by adding a section to read:
10 § 6108.1. Sportsman's firearm permit.

11 (a) Permit allowed.--Any person 18 years of age or older who
12 has been issued a hunting license, trapping license or fishing
13 license or who has been issued a permit relating to hunting dogs
14 may, at the time of obtaining the hunting, trapping or fishing
15 license or any time after the license has been issued, obtain a
16 sportsman's firearm permit from the county treasurer.

17 (b) Issuance.--The sportsman's firearm permit shall be
18 issued immediately and shall be valid throughout this
19 Commonwealth for a period of five years from the date of issue
20 for any legal firearm when carried in conjunction with a valid
21 hunting, furtaking or fishing license or permit relating to
22 hunting dogs.

23 (c) Form.--The sportsman's firearm permit shall be in
24 triplicate on a form to be furnished by the Pennsylvania State
25 Police. The original permit shall be delivered to the person and
26 a copy of the permit shall be forwarded to the Commissioner of
27 Pennsylvania State Police by the county treasurer within seven
28 days of the date of delivery. A copy of the permit shall be
29 retained by the county treasurer for a period of two years from
30 the date of expiration.

31 (d) Fee.--The county treasurer may collect a fee of not more
32 than \$6 for each permit issued, which shall include the cost of
33 any official form. The Pennsylvania State Police may recover
34 from the county treasurer the cost of the form but may not
35 charge more than \$1 for each official permit form furnished to
36 the county treasurer.

37 (e) Offense.--A person who sells or attempts to sell a
38 sportsman's firearm permit for a fee in excess of the amount
39 determined under this section commits a summary offense.

40 Section 8. Sections 6109(a), (b), (c), (d) heading,
41 introductory paragraph, (3), (4) and (5), (e)(1) introductory
42 paragraph, (i), (v) and (vii), (3)(ii) and (4), (f)(2) and (4),
43 (g), (h)(3) and (4), (i.1) heading and (1), (j) and (m.1)(1)
44 introductory paragraph, (ii), (2), (3), (4), (7) and (9) and
45 6118(b) of Title 18 are amended to read:

46 § 6109. Licenses.

47 (a) Purpose of license.--[A license to carry a firearm shall
48 be for the purpose of carrying a firearm concealed on or about
49 one's person or in a vehicle throughout this Commonwealth.]

50 (1) Due to every Commonwealth resident having a
51 fundamental constitutional right to keep and bear arms,

1 obtaining a license under this section shall be optional.
2 Nothing in this section shall be construed to require that a
3 person must obtain a license under this section in order to
4 carry a concealed firearm.

5 (2) The voluntary nature of a license to carry a firearm
6 may not be construed to relieve the issuing authority of the
7 burden of proof for denying an application for a license.
8 Issuance of a license to carry a firearm under this section
9 by the proper authority shall be prima facie evidence that
10 law enforcement authorities have verified that the individual
11 is qualified under the law and is not prohibited from
12 possessing firearms under section 6105 (relating to persons
13 not to possess, use, manufacture, control, sell or transfer
14 firearms) or under any other provision of the laws of this
15 Commonwealth.

16 (3) A license to carry a firearm shall be available to
17 those who wish to carry a firearm openly or concealed on or
18 about one's person or in a vehicle and shall be valid
19 throughout this Commonwealth.

20 (4) A license to carry a firearm shall provide residents
21 of this Commonwealth with the ability to carry a firearm in
22 any state with which the Commonwealth maintains a reciprocal
23 agreement for the mutual recognition of licenses to carry
24 firearms.

25 (b) Place of application.--An individual [who is 21 years of
26 age or older] may apply to [a sheriff] the proper issuing
27 authority for a license to carry a firearm [concealed on or
28 about his person or in a vehicle] within this Commonwealth. If
29 the applicant is a resident of this Commonwealth, he shall make
30 application with the sheriff of the county in which he resides
31 or, if a resident of a city of the first class, with the chief
32 of police of that city. If the applicant is not a resident of
33 this Commonwealth, the applicant shall make application with the
34 sheriff of any county.

35 (c) Form of application and content.--The application and
36 process for a license to carry a firearm shall be uniform
37 throughout this Commonwealth and shall be on a form prescribed
38 by the Pennsylvania State Police. The form may contain
39 provisions, not exceeding one page, to assure compliance with
40 this section. Issuing authorities shall use only the application
41 form prescribed by the Pennsylvania State Police. One of the
42 following reasons for obtaining a firearm license shall be set
43 forth in the application: self-defense, employment, hunting and
44 fishing, target shooting, gun collecting or another proper
45 reason. The application form shall be dated and signed by the
46 applicant and shall contain the following statement:

47 I have never been convicted of a crime that prohibits me
48 from possessing or acquiring a firearm under Federal or
49 State law. I am of sound mind and have never been
50 involuntarily committed to a mental institution. In the
51 alternative my right to possess a firearm has been

1 legally restored. I hereby certify that the statements
2 contained herein are true and correct to the best of my
3 knowledge and belief. I understand that, if I knowingly
4 make any false statements herein, I am subject to
5 penalties prescribed by law. I authorize the [sheriff, or
6 his designee, or, in the case of first class cities, the
7 chief or head of the police department] issuing
8 authority, or [his] designee, to inspect only those
9 records or documents relevant to information required for
10 this application. If I am issued a license and knowingly
11 become ineligible to legally possess or acquire firearms,
12 I will promptly notify the [sheriff of the county in
13 which I reside or, if I reside in a city of the first
14 class, the chief of police of that city] issuing
15 authority.

16 (d) [Sheriff to conduct] Pre-issuance investigation.--The
17 [sheriff] issuing authority to whom the application is made
18 shall:

19 * * *

20 [(3) investigate whether the applicant's character and
21 reputation are such that the applicant will not be likely to
22 act in a manner dangerous to public safety;]

23 (4) investigate whether the applicant would be precluded
24 from receiving a license under subsection (e)(1) or section
25 6105(h) [(relating to persons not to possess, use,
26 manufacture, control, sell or transfer firearms)]; and

27 (5) conduct a criminal background, juvenile delinquency
28 and mental health check [following the procedures set forth
29 in section 6111 (relating to sale or transfer of firearms),
30 receive] by contacting the National Instant Criminal
31 Background Check System and must have received a unique
32 approval number for that inquiry and record the date and
33 number on the application.

34 (e) Issuance of license.--

35 (1) A license to carry a firearm shall be [for the
36 purpose of carrying a firearm concealed on or about one's
37 person or in a vehicle and shall be issued if,] issued after
38 an investigation not to exceed [45] 14 calendar days, [it
39 appears that the applicant is an individual concerning whom
40 no] unless good cause exists to deny the license. A license
41 shall not be issued to any of the following:

42 [(i) An individual whose character and reputation is
43 such that the individual would be likely to act in a
44 manner dangerous to public safety.]

45 * * *

46 (v) An individual who is not of sound mind or who
47 has ever been involuntarily committed to a mental
48 institution[.], unless the involuntary commitment has
49 been expunged, vacated or granted relief from a
50 prohibition to possess a firearm.

51 * * *

1 [(vii) An individual who is a habitual drunkard.]

2 * * *

3 (3) The license to carry a firearm shall be designed to
4 be uniform throughout this Commonwealth and shall be in a
5 form prescribed by the Pennsylvania State Police. The license
6 shall bear the following:

7 * * *

8 (ii) The signature of the [sheriff] authority
9 issuing the license.

10 * * *

11 (4) The [sheriff] issuing authority shall require a
12 photograph of the licensee on the license. The photograph
13 shall be in a form compatible with the Commonwealth Photo
14 Imaging Network.

15 * * *

16 (f) Term of license.--

17 * * *

18 (2) At least 60 days prior to the expiration of each
19 license, the issuing [sheriff] authority shall send to the
20 licensee an application for renewal of license. Failure to
21 receive a renewal application shall not relieve a licensee
22 from the responsibility to renew the license.

23 * * *

24 [(4) Possession of a license, together with a copy of
25 the person's military orders showing the dates of overseas
26 deployment, including the date that the overseas deployment
27 ends, shall constitute, during the extension period specified
28 in paragraph (3), a defense to any charge filed pursuant to
29 section 6106 (relating to firearms not to be carried without
30 a license) or 6108 (relating to carrying firearms on public
31 streets or public property in Philadelphia).]

32 (g) Grant or denial of license.--Upon the receipt of an
33 application for a license to carry a firearm, the [sheriff]
34 issuing authority shall, within [45] 14 calendar days, issue or
35 refuse to issue a license on the basis of the investigation
36 under subsection (d) and the accuracy of the information
37 contained in the application. If the [sheriff] issuing authority
38 refuses to issue a license, the [sheriff] issuing authority
39 shall notify the applicant in writing of the refusal and the
40 specific reasons. The notice shall be sent by certified mail to
41 the applicant at the address set forth in the application.

42 (h) Fee.--

43 * * *

44 (3) An additional fee of \$1 shall be paid by the
45 applicant for a license to carry a firearm and shall be
46 remitted by the [sheriff] issuing authority to the Firearms
47 License Validation System Account, which is hereby
48 established as a special restricted receipt account within
49 the General Fund of the State Treasury. The account shall be
50 used for purposes under subsection (1). Moneys credited to
51 the account and any investment income accrued are hereby

1 appropriated on a continuing basis to the Pennsylvania State
2 Police.

3 (4) No fee other than that provided by this subsection
4 or the Sheriff Fee Act may be assessed by the [sheriff]
5 issuing authority for the performance of any background check
6 made pursuant to this act.

7 * * *

8 (i.1) Notice to [sheriff] issuing authority.--
9 Notwithstanding any statute to the contrary:

10 (1) Upon conviction of a person for a crime specified in
11 section 6105(a) or (b) or upon conviction of a person for a
12 crime punishable by imprisonment exceeding one year or upon a
13 determination that the conduct of a person meets the criteria
14 specified in section 6105(c)(1), (2), (3), (5), (6) or (9),
15 the court shall determine if the defendant has a license to
16 carry firearms issued pursuant to this section. If the
17 defendant has such a license, the court shall notify the
18 [sheriff of the county in which that person resides] issuing
19 authority, on a form developed by the Pennsylvania State
20 Police, of the identity of the person and the nature of the
21 crime or conduct which resulted in the notification. The
22 notification shall be transmitted by the judge within seven
23 days of the conviction or determination.

24 * * *

25 (j) Immunity.--[A sheriff] An issuing authority who complies
26 in good faith with this section shall be immune from liability
27 resulting or arising from the action or misconduct with a
28 firearm committed by any individual to whom a license to carry a
29 firearm has been issued.

30 * * *

31 (m.1) Temporary emergency licenses.--

32 (1) A person seeking a temporary emergency license to
33 carry a concealed firearm shall submit to the [sheriff]
34 issuing authority of the county in which the person resides
35 all of the following:

36 * * *

37 (ii) A sworn affidavit that contains the information
38 required on an application for a license to carry a
39 firearm and attesting that the person is 21 years of age
40 or older, is not prohibited from owning firearms under
41 section 6105 [(relating to persons not to possess, use,
42 manufacture, control, sell or transfer firearms)] or any
43 other Federal or State law and is not currently subject
44 to a protection from abuse order or a protection order
45 issued by a court of another state.

46 * * *

47 (2) Upon receipt of the items required under paragraph
48 (1), the [sheriff] issuing authority immediately shall
49 conduct a criminal history, juvenile delinquency and mental
50 health record check of the applicant pursuant to section
51 6105. Immediately upon receipt of the results of the records

1 check, the [sheriff] issuing authority shall review the
2 information and shall determine whether the applicant meets
3 the criteria set forth in this subsection. If the [sheriff]
4 issuing authority determines that the applicant has met all
5 of the criteria, the [sheriff] issuing authority shall
6 immediately issue the applicant a temporary emergency license
7 to carry a concealed firearm.

8 (3) If the [sheriff] issuing authority refuses to issue
9 a temporary emergency license, the [sheriff] issuing
10 authority shall specify the grounds for the denial in a
11 written notice to the applicant. The applicant may appeal the
12 denial or challenge criminal records check results that were
13 the basis of the denial, if applicable, in the same manner as
14 a denial of a license to carry a firearm under this section.

15 (4) A temporary emergency license issued under this
16 subsection shall be valid for 45 days and may not be renewed.
17 A person who has been issued a temporary emergency license
18 under this subsection shall not be issued another temporary
19 emergency license unless at least five years have expired
20 since the issuance of the prior temporary emergency license.
21 During the 45 days the temporary emergency license is valid,
22 the [sheriff] issuing authority shall conduct an additional
23 investigation of the person for the purposes of determining
24 whether the person may be issued a license pursuant to this
25 section. If, during the course of this investigation, the
26 [sheriff] issuing authority discovers any information that
27 would have prohibited the issuance of a license pursuant to
28 this section, the [sheriff] issuing authority shall be
29 authorized to revoke the temporary emergency license as
30 provided in subsection (i).

31 * * *

32 (7) [A sheriff] An issuing authority who issues a
33 temporary emergency license to carry a firearm shall retain,
34 for the entire period during which the temporary emergency
35 license is in effect, the evidence of imminent danger that
36 the applicant submitted to the [sheriff] issuing authority
37 that was the basis for the license, or a copy of the
38 evidence, as appropriate.

39 * * *

40 (9) Prior to the expiration of a temporary emergency
41 license, if the [sheriff] issuing authority has determined
42 pursuant to investigation that the person issued a temporary
43 emergency license is not disqualified and if the temporary
44 emergency license has not been revoked pursuant to subsection
45 (i), the [sheriff] issuing authority shall issue a license
46 pursuant to this section that is effective for the balance of
47 the five-year period from the date of the issuance of the
48 temporary emergency license. Records and all other
49 information, duties and obligations regarding such licenses
50 shall be applicable as otherwise provided in this section.

51 * * *

1 § 6118. Antique firearms.

2 * * *

3 (b) Exception.--Subsection (a) shall not apply to the extent
4 that such antique firearms, reproductions or replicas of
5 firearms are concealed weapons as provided in [section 6106
6 (relating to firearms not be carried without a license), nor
7 shall it apply to the provisions of] section 6105 (relating to
8 persons not to possess, use, manufacture, control, sell or
9 transfer firearms) if such antique firearms, reproductions or
10 replicas of firearms are suitable for use.

11 * * *

12 Section 9. Section 6122 of Title 18 is repealed:

13 [§ 6122. Proof of license and exception.

14 (a) General rule.--When carrying a firearm concealed on or
15 about one's person or in a vehicle, an individual licensed to
16 carry a firearm shall, upon lawful demand of a law enforcement
17 officer, produce the license for inspection. Failure to produce
18 such license either at the time of arrest or at the preliminary
19 hearing shall create a rebuttable presumption of nonlicensure.

20 (b) Exception.--An individual carrying a firearm on or about
21 his person or in a vehicle and claiming an exception under
22 section 6106(b) (relating to firearms not to be carried without
23 a license) shall, upon lawful demand of a law enforcement
24 officer, produce satisfactory evidence of qualification for
25 exception.]

26 Section 10. Section 6108(a)(7) introductory paragraph of
27 Title 23 is amended to read:

28 § 6108. Relief.

29 (a) General rule.--Subject to subsection (a.1), the court
30 may grant any protection order or approve any consent agreement
31 to bring about a cessation of abuse of the plaintiff or minor
32 children. The order or agreement may include:

33 * * *

34 (7) Prohibiting the defendant from acquiring or
35 possessing any firearm for the duration of the order,
36 ordering the defendant to temporarily relinquish to the
37 sheriff or the appropriate law enforcement agency any
38 firearms under the defendant's possession or control, and
39 requiring the defendant to relinquish to the sheriff or the
40 appropriate law enforcement agency any firearm license issued
41 under section 6108.3 (relating to relinquishment to third
42 party for safekeeping) [or 18 Pa.C.S. § 6106 (relating to
43 firearms not to be carried without a license)] or 6109
44 (relating to licenses) the defendant may possess. The court
45 may also order the defendant to relinquish the defendant's
46 other weapons or ammunition that have been used or been
47 threatened to be used in an incident of abuse against the
48 plaintiff or the minor children. A copy of the court's order
49 shall be transmitted to the chief or head of the appropriate
50 law enforcement agency and to the sheriff of the county of
51 which the defendant is a resident. When relinquishment is

1 ordered, the following shall apply:

2 * * *

3 Section 11. This act shall take effect in 60 days.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB1593 PN1905	Prepared By:	Michelle Batt, Esq.
Committee:	Judiciary		(717) 705-1880,6792
Sponsor:	Warren, Perry	Executive Director:	David Vitale, Esq.
Date:	8/6/2025		

A. Brief Concept

Ensures all firearm sales be subject to a background check.

C. Analysis of the Bill

Amends Title 18 Section 6111 by repealing the background check exception for long guns contained in subsection (f)(2).

Effective Date:

60 Days.

G. Relevant Existing Laws

Title 18 Pa.C.S. § 6111. Sale or transfer of firearms.

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

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

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

spouse;
parent;
child;
grandparent; or
grandchild.

(e) Nonapplicability of section.--This section shall not apply to the following:

- (1) Any firearm manufactured on or before 1898.
- (2) Any firearm with a matchlock, flintlock or percussion cap type of ignition system.
- (3) Any replica of any firearm described in paragraph (1) if the replica:
 - (i) is not designed or redesigned to use rimfire or conventional center fire fixed ammunition; or
 - (ii) uses rimfire or conventional center fire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade.

(j) Exemption.--

- (1) The provisions of subsections (a) and (b) shall not apply to:
 - (i) sales between Federal firearms licensees; or
 - (ii) the purchase of firearms by a chief law enforcement officer or his designee, for the official use of law enforcement officers.
- (2) For the purposes of this subsection, the term "chief law enforcement officer" shall include the Commissioner of the Pennsylvania State Police, the chief or head of a police department, a county sheriff or any equivalent law enforcement official.

E. Prior Session (Previous Bill Numbers & House/Senate Votes).

This bill was introduced as HB 714 in 2023 (PN 660) and was referred to the House Judiciary Committee on March 27, 2023. It was reported as committed on May 1, 2023, and amended on May 3, 2023 (PN 1150). This bill passed the House on May 22, 2023, by a vote of 109-92. This bill was referred to the Senate Judiciary Committee on June 2, 2023, and received no further action.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1613 Session of 2025

INTRODUCED BY HANBIDGE, HILL-EVANS, MAYES, T. DAVIS, VENKAT, PIELLI, BERNSTINE, HOWARD, RIVERA, SANCHEZ, McNEILL, HOHENSTEIN AND WARREN, JUNE 16, 2025

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 16, 2025

AN ACT

1 Amending Title 42 (Judiciary and Judicial Procedure) of the
2 Pennsylvania Consolidated Statutes, in juvenile matters,
3 further providing for definitions and for release or delivery
4 to court, providing for mandatory counsel and for child
5 interrogation and further providing for powers and duties of
6 the Juvenile Court Judges' Commission.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 6302 of Title 42 of the Pennsylvania
10 Consolidated Statutes is amended by adding a definition to read:
11 § 6302. Definitions.

12 The following words and phrases when used in this chapter
13 shall have, unless the context clearly indicates otherwise, the
14 meanings given to them in this section:

15 * * *

16 "Custodial interrogation." The following:

17 (1) Questioning or other conduct by a law enforcement
18 officer which:

19 (i) is reasonably likely to elicit an incriminating

1 response from an individual; and

2 (ii) occurs when a reasonable individual in the same
3 circumstances would consider that the individual was in
4 custody.

5 (2) The term includes giving a required warning, advice
6 of rights of the individual being questioned and waiver of
7 rights by the individual.

8 * * *

9 Section 2. Section 6326(a) introductory paragraph, (1) and
10 (3) of Title 42 are amended to read:

11 § 6326. Release or delivery to court.

12 (a) General rule.--A person taking a child into custody[,
13 with all reasonable speed] shall immediately and without first
14 taking the child elsewhere[, shall]:

15 (1) notify [the parent, guardian or other custodian of
16 the apprehension of the child and his whereabouts;], or cause
17 to be notified, the parent, guardian or other custodian of:

18 (i) the child's location;

19 (ii) the reason for the child being taken into
20 custody; and

21 (iii) instructions on how the parent, guardian or
22 custodian may make immediate in-person contact with the
23 child;

24 * * *

25 (3) bring the child before the court or deliver him to a
26 detention or shelter care facility designated by the court or
27 to a medical facility if the child is believed to suffer from
28 a serious physical or mental condition or illness which
29 requires prompt treatment. He shall promptly give written
30 notice, together with a statement of the reason for taking

the child into custody, to a parent, guardian, or other
custodian and to the court.

* * *

Section 3. Title 42 is amended by adding sections to read:

§ 6329. Mandatory counsel.

(a) Custodial interrogation.--A law enforcement officer may
not conduct a custodial interrogation of a child until:

(1) The child has consulted with an attorney who is:

(i) retained by the parent, guardian or custodian of
the child; or

(ii) provided by the office of the public defender.

(2) The law enforcement officer has made an effort
reasonably calculated to give actual notice to the parent,
guardian or custodian of the child that the child will be
interrogated.

(b) Conditions of counsel.--A consultation with an attorney
under this section:

(1) Shall be:

(i) Conducted in a manner consistent with the Rules
of Professional Conduct.

(ii) Confidential.

(2) May be:

(i) in person; or

(ii) by telephone or video conference.

(c) Communication with parents.--To the extent practicable
and consistent with the Rules of Professional Conduct, an
attorney providing consultation under this section shall
communicate and coordinate with the parent, guardian or
custodian of the child in custody.

(d) Conditions of counsel.--The requirement of consultation

1 with an attorney under this section:

2 (1) May not be waived.

3 (2) Applies regardless of whether the child is in
4 delinquency or criminal proceedings.

5 (e) Record of counsel.--

6 (1) A law enforcement agency conducting an interrogation
7 of a child shall maintain a record of the notification or
8 attempted notification of a parent, guardian or custodian
9 under section 6326 (relating to release or delivery to
10 court), including:

11 (i) a signed statement by a duly authorized law
12 enforcement officer employed by the agency that an
13 attempt to notify a parent, guardian or custodian was
14 made;

15 (ii) the name of the person sought to be notified;
16 and

17 (iii) the method of the attempted notification.

18 (2) A law enforcement agency conducting an interrogation
19 of a child shall maintain a record of the name of the
20 attorney contacted and the county in which the attorney
21 provided the consultation.

22 (3) An attorney contacted to provide legal consultation
23 to a child under this section shall provide to a law
24 enforcement officer the information required to be maintained
25 under paragraph (2).

26 (f) Exception.--

27 (1) Notwithstanding the requirements of this section, a
28 law enforcement officer may conduct an otherwise lawful
29 custodial interrogation of a child if:

30 (i) the law enforcement officer reasonably believes

1 that the information sought is necessary to protect
2 against an imminent threat to public safety; and

3 (ii) the questions posed to the child by the law
4 enforcement officer are limited to those questions
5 reasonably necessary to obtain the information necessary
6 to protect against the imminent threat to public safety.

7 (2) As used in this subsection, the term "threat to
8 public safety" shall be construed in a manner consistent with
9 the judicially recognized exception to the requirements of
10 Miranda v. Arizona 384 U.S. 436 (1966).

11 § 6329.1. Child interrogation.

12 (a) Recording.--

13 (1) Unless it is impossible or unsafe to do so, an
14 interrogation of a child shall be recorded.

15 (2) In a jurisdiction that has adopted the use of body-
16 worn digital recording devices by law enforcement officers,
17 the interrogation of a child may be recorded using a body-
18 worn digital recording device in a manner that is consistent
19 with departmental policies regarding the use of body-worn
20 digital recording devices.

21 (3) In a jurisdiction that has not adopted the use of
22 body-worn digital recording devices, the interrogation of a
23 child may be recorded using other video and audio recording
24 technology in a manner that is consistent with any policies
25 of the law enforcement agency regarding the use of video and
26 audio recording technology.

27 (4) A child shall be informed if the interrogation is
28 being recorded.

29 (b) Presumption.--

30 (1) There is a rebuttable presumption that a statement

1 made by a child during a custodial interrogation is
2 inadmissible in a delinquency proceeding or a criminal
3 prosecution against that child if a law enforcement officer
4 negligently or willfully failed to comply with the
5 requirements of this section, section 6326 (relating to
6 release of delivery to court) or section 6329 (relating to
7 mandatory counsel).

8 (2) The State may overcome the presumption by showing,
9 by clear and convincing evidence, that the statement was made
10 knowingly, intelligently and voluntarily and that the
11 statement was not made by a child under duress or while the
12 child was experiencing a mental health crisis.

13 Section 4. Section 6373 of Title 42 is amended by adding a
14 paragraph to read:

15 § 6373. Powers and duties.

16 The commission shall have the power and is required to do the
17 following:

18 * * *

19 (5) Adopt rules concerning age-appropriate language to
20 be used to advise a child who is taken into custody of the
21 child's rights.

22 Section 5. This act shall take effect in 60 days.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB1613 PN1930	Prepared By:	Michelle Batt, Esq. (717) 705-1880,6792
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Hanbidge, Liz		
Date:	8/21/2025		

A. Brief Concept

Establishes the Child Interrogation Protection Act increasing protections for juveniles in custodial interrogations.

C. Analysis of the Bill

Amends Title 42 Chapter 63 (Juvenile Matters), to establish the Child Interrogation Protection Act. Specifically, this bill:

- Amends section 6302 (Definitions) to add and define the term "Custodial interrogation" as follows: Questioning or other conduct by a law enforcement officer which is reasonably likely to elicit an incriminating response from an individual and occurs when a reasonable individual in the same circumstances would consider that the individual was in custody. The term includes giving a required warning, advice of rights of the individual being questioned and waiver of rights by the individual.
- Amends section 6326 (Release or delivery to court) to strengthen parental notification requirements by requiring that a person taking a child into custody to immediately notify the parent, guardian or other custodian of the child's location, the reason for the child's detention and provide instructions on how the adult custodian can make immediate in-person contact with the child. This section is further amended to require that a child be delivered to a medical facility if the child is believed to suffer from a mental illness requiring prompt treatment.
- Adds section 6329 (Mandatory counsel) prohibiting a law enforcement officer from conducting a custodial interrogation of a child until the child (1) has consulted with an attorney and (2) the law enforcement officer has made an effort reasonably calculated to give actual notice to the parent, guardian or custodian of the child that the child will be interrogated.
 - Counsel:
 - The attorney shall either be retained by the parent, guardian or custodian of the child or provided by the office of the public defender.
 - Consultation with counsel shall be confidential and conducted in a manner consistent with the Rules of Professional Conduct.
 - Said consultation may be in person, by telephone or video conference.
 - This requirement may not be waived
 - This requirement applies regardless of whether the child is in delinquency or criminal proceedings.
 - A law enforcement agency conducting an interrogation of a child shall maintain a record of the name of the attorney contacted and the county in which the attorney provided the consultation.
 - To the extent practicable and consistent with the Rules of Professional Conduct, an attorney providing consultation under this section shall communicate and coordinate with the parent, guardian or custodian of the child in custody.

- Communication with parents:
 - A law enforcement agency shall maintain a record of the notification or attempted notification of a parent, guardian or custodian including:
 - a signed statement by a duly authorized law enforcement officer employed by the agency that an attempt to notify a parent, guardian or custodian was made;
 - the name of the person sought to be notified; and
 - the method of the attempted notification.
- Exceptions: if the law enforcement officer reasonably believes that the information sought is necessary to protect against an imminent threat to public safety and the questions posed to the child by the law enforcement officer are limited to those questions reasonably necessary to obtain the information necessary to protect against the imminent threat to public safety, then a law enforcement officer may conduct a custodial interrogation of a child without counsel and without parental notification.
 - The term "threat to public safety" shall be construed in a manner consistent with the judicially recognized exception to the requirements of *Miranda v. Arizona* 384 U.S. 436 (1966).
- Adds section 6329.1 (Child interrogation) to require that a custodial interrogation of a child be recorded, consistent with existing agency policies, unless impossible or unsafe. A child shall be informed if the interrogation is being recorded. There is a rebuttable presumption that a statement made by a child during a custodial interrogation is inadmissible in a delinquency proceeding or a criminal prosecution against that child if a law enforcement officer negligently or willfully failed to comply with the requirements of this Act. The State may overcome the presumption by showing, by clear and convincing evidence, that the statement was made knowingly, intelligently and voluntarily and that the statement was not made by a child under duress or while the child was experiencing a mental health crisis.
- Lastly, this bill amends section 6373 (Powers and duties) requiring the Juvenile Court Judges' Commission to adopt rules concerning age-appropriate language to be used to advise a child who is taken into custody of the child's rights.

Effective Date:

60 Days.

G. Relevant Existing Laws

42 Pa.C.S. § 6326. Release or delivery to court.

(a) General rule.--A person taking a child into custody, with all reasonable speed and without first taking the child elsewhere, shall:

- (1) notify the parent, guardian or other custodian of the apprehension of the child and his whereabouts;
- (2) release the child to his parents, guardian, or other custodian upon their promise to bring the child before the court when requested by the court, unless his detention or shelter care is warranted or required under section 6325 (relating to detention of child); or
- (3) bring the child before the court or deliver him to a detention or shelter care facility designated by the court or to a medical facility if the child is believed to suffer from a serious physical condition or illness which requires prompt treatment. He shall promptly give written

notice, together with a statement of the reason for taking the child into custody, to a parent, guardian, or other custodian and to the court.

Any temporary detention or questioning of the child necessary to comply with this subsection shall conform to the procedures and conditions prescribed by this chapter and other provisions of law.

(b) Detention in police lockup generally prohibited.--Unless a child taken into custody is alleged to have committed a crime or summary offense or to be in violation of conditions of probation or other supervision following an adjudication of delinquency, the child may not be detained in a municipal police lockup or cell or otherwise held securely within a law enforcement facility or structure which houses an adult lockup. A child shall be deemed to be held securely only when physically detained or confined in a locked room or cell or when secured to a cuffing rail or other stationary object within the facility.

(c) Detention in police lockup under certain circumstances.--A child alleged to have committed a crime or summary offense or to be in violation of conditions of probation or other supervision following an adjudication of delinquency may be held securely in a municipal police lockup or other facility which houses an adult lockup only under the following conditions:

(1) the secure holding shall only be for the purpose of identification, investigation, processing, releasing or transferring the child to a parent, guardian, other custodian, or juvenile court or county children and youth official, or to a shelter care or juvenile detention center;

(2) the secure holding shall be limited to the minimum time necessary to complete the procedures listed in paragraph (1), but in no case may such holding exceed six hours; and

(3) if so held, a child must be separated by sight and sound from incarcerated adult offenders and must be under the continuous visual supervision of law enforcement officials or facility staff.

(d) Conditions of detention.--Notwithstanding other provisions of law, a child held in nonsecure custody in a building or facility which houses an adult lockup may be so held only under the following conditions:

(1) the area where the child is held is an unlocked multipurpose area which is not designated or used as a secure detention area or is not part of a secure detention area; or, if the area is a secure booking or similar area, it is used only for processing purposes;

(2) the child is not physically secured to a cuffing rail or other stationary object during the period of custody in the facility;

(3) the area is limited to providing nonsecure custody only long enough for the purposes of identification, investigation, processing or release to parents or for arranging transfer to another agency or appropriate facility; and

(4) the child must be under continuous visual supervision by a law enforcement officer or other facility staff during the period of nonsecure custody.

(e) Reports regarding children held in custody.--Law enforcement agencies shall provide information and reports regarding children held in secure and nonsecure custody under subsections (c) and (d) as requested by the Pennsylvania Commission on Crime and Delinquency.

(f) Enforcement of undertaking to produce child.--If a parent, guardian, or other custodian, when requested, fails to bring the child before the court as provided in subsection (a), the

court may issue its warrant directing that the child be taken into custody and brought before the court.

E. Prior Session (Previous Bill Numbers & House/Senate Votes).

None.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1722 Session of
2025

INTRODUCED BY RIGBY, COOK, KAUFFMAN, DAVANZO AND CIRESI,
JULY 11, 2025

REFERRED TO COMMITTEE ON JUDICIARY, JULY 14, 2025

AN ACT

1 Amending the act of September 30, 1983 (P.L.160, No.39),
2 entitled "An act establishing salaries and compensation of
3 certain public officials including justices and judges of
4 Statewide courts, judges of courts of common pleas, judges of
5 the Philadelphia Municipal Court, judges of the Philadelphia
6 Traffic Court, district justices and the Governor, the
7 Lieutenant Governor, the State Treasurer, the Auditor
8 General, the Attorney General and certain other State
9 officers and the salary and certain expenses of the members
10 of the General Assembly; and repealing certain inconsistent
11 acts," further providing for compensation of Governor and
12 Lieutenant Governor, State Treasurer, Auditor General,
13 Attorney General, commissioners of the Pennsylvania Public
14 Utility Commission and heads of departments.

15 The General Assembly of the Commonwealth of Pennsylvania
16 hereby enacts as follows:

17 Section 1. Section 3(a) of the act of September 30, 1983
18 (P.L.160, No.39), known as the Public Official Compensation Law,
19 is amended and the section is amended by adding a subsection to
20 read:

21 Section 3. Compensation of Governor and Lieutenant Governor;
22 State Treasurer; Auditor General; Attorney General;
23 Commissioners of the Pennsylvania Public Utility
24 Commission; and heads of departments.

1 (a) The Governor, the Lieutenant Governor and Cabinet.--The
2 annual salaries of the Governor, the Lieutenant Governor and the
3 heads of the departments shall be as follows: Governor,
4 \$125,000; Lieutenant Governor, \$105,000; Adjutant General,
5 \$90,000; Secretary of Aging, \$95,000; Secretary of Agriculture,
6 \$90,000; Secretary of Banking and Securities, \$90,000; Secretary
7 of Community and Economic Development, \$95,000; Secretary of the
8 Commonwealth, \$90,000; Secretary of Education, \$100,000;
9 Secretary of Environmental Protection, \$100,000; Secretary of
10 General Services, \$95,000; Secretary of Health, \$100,000;
11 Insurance Commissioner, \$90,000; Secretary of Labor and
12 Industry, \$100,000; Secretary of [Public Welfare] Human
13 Services, \$100,000; Secretary of Revenue, \$95,000; [State Police
14 Commissioner, \$95,000;] Secretary of Transportation, \$100,000;
15 Secretary of Corrections, \$100,000; Secretary of Conservation
16 and Natural Resources, \$95,000.

17 * * *

18 (d.1) Compensation of State Police Commissioner.--The State
19 Police Commissioner shall receive an annual salary commensurate
20 with the annual salary received by the Secretary of Corrections.

21 * * *

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

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB1722 PN2122	Prepared By:	David Vitale, Esq. (717) 705-7011,6791
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Rigby, Jim		
Date:	7/17/2025		

A. Brief Concept

Amends the Public Official Compensation Law to make the salary of the State Police Commissioner the same as the Secretary of Corrections.

C. Analysis of the Bill

This bill amends the Public Official Compensation Law to make the salary of the State Police Commissioner the same as the Secretary of Corrections.

The bill also updates the titles of Secretary of the Department of Banking and Securities and the Department of Human Services.

Effective Date:

60 Days.

G. Relevant Existing Laws

Act No. 39 of 1983, known as the Public Official Compensation Law fixes the salary of numerous public officials including judges, the Governor, the Lieutenant Governor, the Cabinet and members of the General Assembly.

Section 3. Compensation of Governor and Lieutenant Governor; State Treasurer; Auditor General; Attorney General; Commissioners of the Pennsylvania Public Utility Commission; and heads of departments.

(a) The Governor, the Lieutenant Governor and Cabinet.--The annual salaries of the Governor, the Lieutenant Governor and the heads of the departments shall be as follows: Governor, \$125,000; Lieutenant Governor, \$105,000; Adjutant General, \$90,000; Secretary of Aging, \$95,000; Secretary of Agriculture, \$90,000; Secretary of Banking, \$90,000; Secretary of Community and Economic Development, \$95,000; Secretary of the Commonwealth, \$90,000; Secretary of Education, \$100,000; Secretary of Environmental Protection, \$100,000; Secretary of General Services, \$95,000; Secretary of Health, \$100,000; Insurance Commissioner, \$90,000; Secretary of Labor and Industry, \$100,000; Secretary of Public Welfare, \$100,000; Secretary of Revenue, \$95,000; State Police Commissioner, \$95,000; Secretary of Transportation, \$100,000; Secretary of Corrections, \$100,000; Secretary of Conservation and Natural Resources \$95,000.

(e) Annual cost-of-living adjustment.--(1) Except as provided under paragraph (2), beginning January 1, 1997, and each January 1 thereafter, the stated annual salaries of the Governor and Lieutenant Governor, the State Treasurer, the Auditor General, the Attorney General and the heads of the departments and members of boards and commissions denoted herein shall be increased by an annual cost-of-living increase calculated by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area, for the most recent 12-month period for which figures have been

officially reported by the United States Department of Labor, Bureau of Labor Statistics immediately prior to the date the adjustment is due to take effect, to the then current salary amounts authorized. The percentage increase and the salary amounts shall be determined by the Governor prior to the annual effective date of the adjustment and shall be published by the Secretary of the Budget in the Pennsylvania Bulletin within ten days of the date the determination is made.

E. Prior Session (Previous Bill Numbers & House/Senate Votes).

HB 1095 of 2023 and HB 2895 of 2022 did not received consideration.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1822 Session of
2025

INTRODUCED BY BRIGGS, KUTZ, McNEILL, HILL-EVANS, OTTEN, HOWARD,
SANCHEZ, BOROWSKI, MAYES, GALLAGHER, D. WILLIAMS, SHUSTERMAN,
BOYD, NEILSON AND CURRY, AUGUST 26, 2025

REFERRED TO COMMITTEE ON JUDICIARY, AUGUST 26, 2025

AN ACT

1 Amending Title 44 (Law and Justice) of the Pennsylvania
2 Consolidated Statutes, providing for protection of personal
3 data of certain public servants; imposing duties on data
4 brokers regarding personal data; and providing for civil and
5 criminal enforcement.

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

8 Section 1. Title 44 of the Pennsylvania Consolidated
9 Statutes is amended by adding a chapter to read:

10 CHAPTER 9

11 PUBLIC SERVANT DATA PRIVACY

12 Sec.

13 901. Scope of chapter.

14 902. Findings and declarations.

15 903. Definitions.

16 904. Nondisclosure of protected information.

17 905. Enforcement.

18 906. Construction.

19 § 901. Scope of chapter.

1 This chapter provides for public servant data privacy.

2 § 902. Findings and declarations.

3 The General Assembly finds and declares as follows:

4 (1) Judges, lawmakers and other elected and appointed
5 public servants and their staff play an essential role in the
6 free and fair functioning of our government. While the nature
7 of their official duties will undoubtedly draw occasional
8 disapproval and criticism from members of the public, our
9 public servants and their families have experienced sharp
10 increases in recent years in the volume and severity of
11 intimidating abuse, threats and violent attacks, including
12 attempted assassinations, some of which have been perpetrated
13 by malefactors obtaining the home addresses or other unlisted
14 contact information of their targets.

15 (2) These threats and attacks create a chilling effect
16 and constrain how freely our officials interact with the
17 public, narrows the spectrum of positions they feel safe to
18 take or support and make them less willing to continue in
19 public service. This persistent and severe problem is an
20 affront to the effective functioning of our government and
21 the rule of law.

22 (3) Violence against and intimidation of our public
23 servants and their families is made easier by data brokers
24 disseminating private information, enabling assailants to
25 easily compile dossiers on the public officials the
26 assailants target.

27 (4) Having personal information easily accessible at the
28 click of a button provides negligible value to the public and
29 poses grave danger to our public officials and their
30 families.

1 (5) This chapter is implemented to foster the ability of
2 these public servants who perform critical governmental roles
3 to carry out their official duties without fear of personal
4 reprisal.

5 § 903. Definitions.

6 The following words and phrases when used in this chapter
7 shall have the meanings given to them in this section unless the
8 context clearly indicates otherwise:

9 "Assignee." A person or entity to whom a person's right to
10 bring a civil action for a violation of section 904 (relating to
11 nondisclosure of protected information) has been assigned, in
12 writing, by the covered person or their authorized agent.

13 "Associated person." The following:

14 (1) An individual connected to a principal person by one
15 of the following relationships:

16 (i) A parent, spouse, child or grandchild of a
17 principal person.

18 (ii) A person sharing custody of a minor child with
19 a principal person.

20 (iii) A person sharing a primary residence with a
21 principal person.

22 (2) An individual whose main job duties and
23 responsibilities include providing direct support to a
24 principal person in fulfilling the principal person's
25 obligations to the public.

26 "Authorized agent." Any of the following persons or entities
27 authorized to submit or revoke a request for nondisclosure of
28 protected information on behalf of a covered person and to
29 engage in communications and enforcement:

30 (1) A designated trustee or other agent acting under a

1 written power of attorney or other legal instrument on behalf
2 of any covered person who is physically or mentally
3 incapacitated.

4 (2) A parent or legal guardian on behalf of any child,
5 who is a minor, who is otherwise entitled to nondisclosure
6 under this act.

7 (3) A person or entity that has been appointed under a
8 written power of attorney by a covered person to act on their
9 behalf with respect to this chapter.

10 (4) An agent acting on behalf of a Federal judge, a
11 designee of the United States Marshals Service or the clerk
12 of any United States District Court.

13 "Covered person." A principal person or associated person.

14 "Data broker." A person or entity that discloses the
15 protected information of an individual to a third party. The
16 term does not include a governmental agency or its
17 representatives acting in an official capacity.

18 "Disclose." To solicit, sell, manufacture, give, provide,
19 lend, trade, mail, deliver, transfer, post, publish, distribute,
20 circulate, disseminate, present, exhibit, advertise, offer or
21 include within a searchable list or database, regardless of
22 whether any other person or entity has actually searched the
23 list or database for the person's information.

24 "Home address." A dwelling location at which an individual
25 resides and includes the physical address, mailing address,
26 street address, parcel identification number, plot
27 identification number, legal property description, neighborhood
28 name and lot number, GPS coordinates and any other descriptive
29 property information that may reveal the home address.

30 "Home telephone number." A telephone number used primarily

for personal communications or associated with personal communications devices, including a landline or cellular number.

"Judge." Any judge, judicial officer or magisterial district judge, as defined in 42 Pa.C.S. § 102 (relating to definitions).

"Principal person." Any active, formerly active or retired:

(1) judge;

(2) public official as defined in 65 Pa.C.S. § 1102 (relating to definitions); or

(3) person who holds or previously held a Federal position or a position in another state comparable to those identified in paragraph (1) or (2) and who has a home address in this Commonwealth.

"Protected information." The term includes:

(1) A home address, including a primary residence or secondary residences.

(2) A home telephone number.

(3) A personal email address.

(4) A Social Security number or driver's license number.

(5) A license plate number or other unique identifiers of a vehicle owned, leased or regularly used by the covered person.

§ 904. Nondisclosure of protected information.

(a) Prohibition.--A covered person or their authorized agent seeking to prohibit the disclosure by a data broker of protected information of the covered person shall provide written notice to the data broker referencing this act and requesting that the data broker cease the disclosure of the covered person's protected information, as described in the notice.

(b) Data brokers.--Upon notification under subsection (a), and not later than 10 business days following physical or

electronic receipt of the notification, a data broker shall not disclose or redisclose or otherwise make available, including on a publicly accessible Internet website, the protected information of the covered person.

(c) Duration.--The nondisclosure shall last for the following time frames:

(1) A principal person shall receive coverage for life.

(2) An associated person shall receive coverage while connected to a principal person and for 10 years after the connection.

§ 905. Enforcement.

(a) Civil liability.--A data broker that violates section 904(b) (relating to nondisclosure of protected information) shall be liable to the covered person, the covered person's authorized agent or the covered person's assignee, who may bring a civil action in the appropriate court of common pleas.

(b) Criminal liability.--In addition to civil liability, a data broker that violates section 904 recklessly or intentionally is subject to criminal prosecution as follows:

(1) A reckless violation of section 904 shall be a misdemeanor of the third degree.

(2) An intentional violation of section 904 shall be a misdemeanor of the second degree.

(c) Time limits.--

(1) A civil action under this section must be commenced within the following periods of limitation:

(i) four years from the date the violation occurred;

or

(ii) for a continuing violation, within four years from the last date the violation occurred.

1 (2) A criminal prosecution under this section must be
2 commenced within the following periods of limitation:

3 (i) two years from the date the violation occurred;

4 or

5 (ii) for a continuing violation, within two years
6 from the last date the violation occurred.

7 (d) Proceedings.--Proceedings shall be in accordance with
8 the following:

9 (1) In a civil judicial proceeding under this chapter,
10 the standard of fault shall be ordinary negligence.

11 (2) In a civil or criminal judicial proceeding under
12 this chapter, it shall not be a defense to liability in the
13 proceeding that the protected information is or was available
14 to the public from other sources or available by inspection
15 of public records.

16 (3) A party accessing a data broker's website or other
17 products or services, for the purpose of determining whether
18 the covered person's protected information is disclosed,
19 shall not, as a result of the access, be deemed to have
20 agreed on behalf of the covered person or the covered
21 person's authorized agent or assignee to any website terms
22 and conditions with respect to the covered person, associated
23 person or the covered person or associated person's
24 assignee's rights under this chapter.

25 (4) No prior verification of a covered person's status
26 shall be required for the notice under section 904 to be
27 effective. It shall be an affirmative defense to liability
28 that a person is not a covered person.

29 (e) Limitation.--A disclosure of protected information is
30 not a violation of this chapter if the disclosure is:

1 (1) made with the express authorization of the covered
2 person or their authorized agent, contingent upon the
3 authorization being provided subsequent to the relevant
4 nondisclosure request described in section 904; or

5 (2) for the sole purpose of facilitating a transaction
6 initiated by the covered person or their authorized agent.

7 (f) Relief.--In a civil action, for violations of section
8 904, the court shall award:

9 (1) The greater of actual damages or liquidated damages
10 computed at the rate of \$1,000 for each violation of section
11 904.

12 (2) Punitive damages upon proof of willful or reckless
13 disregard of the law.

14 (3) Reasonable attorney fees and other litigation costs
15 reasonably incurred.

16 (4) Any other preliminary and equitable relief as the
17 court determines to be appropriate.

18 § 906. Construction.

19 (a) Liberally construed.--This chapter shall be liberally
20 construed in order to accomplish its purpose.

21 (b) Limitation.--Nothing in this chapter shall preclude any
22 of the following:

23 (1) A covered person from complying with all required
24 disclosure and filing requirements if the covered person is a
25 candidate for public office.

26 (2) An individual from challenging the residency of a
27 covered person if the covered person is a candidate for
28 public office.

29 Section 2. This act shall take effect immediately.

LEGISLATIVE REFERENCE BUREAU

AMENDMENTS TO HOUSE BILL NO. 1822

Sponsor: Briggs

Printer's No. 2243

- 1 Amend Bill, page 5, line 10, by inserting after "in"
- 2 this Commonwealth or
- 3 Amend Bill, page 8, line 25, by inserting after "public"
- 4 or party
- 5 Amend Bill, page 8, line 28, by inserting after "public"
- 6 or party

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB1822 PN2243	Prepared By:	Michelle Batt, Esq. (717) 705-1880,6792
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Briggs, Tim		
Date:	8/27/2025		

A. Brief Concept

Protecting the personal data of certain public servants and their families from disclosure by private data brokers.

C. Analysis of the Bill

Amending Title 44 by adding Chapter 9 (Public Servant Data Privacy) to protect the personal data of certain public servants and their families from disclosure by private data brokers and provide for civil and criminal enforcement.

Eligibility: A person eligible for nondisclosure under this act ("Covered person") is any "Principal person" or "Associated person" (see Definitions below).

Procedure: An individual seeking nondisclosure under this act provides (either personally or through an authorized agent) written notice to the data broker referencing this act and requesting that the data broker cease the disclosure of the covered person's protected information. The data broker then has 10 business days following notification, to cease disclosing or otherwise making available the protected information of the covered person. No prior verification of a covered person's status shall be required for the notice to be effective.

Duration: A principal person is eligible for nondisclosure for life. An associated person is eligible while connected to a principal person and for 10 years following any severance of the connection.

Civil and Criminal Enforcement: A data broker that fails to take action within 10 days after receiving notification shall be liable to the covered person, the covered person's authorized agent or the covered person's assignee civilly and criminally. A reckless violation is a misdemeanor of the third degree. An intentional violation is a misdemeanor of the second degree.

- Statute of Limitations:
 - A civil action must be initiated within four years from the date the violation occurred or, for a continuing violation, within four years from the last date the violation occurred.
 - A criminal action must be initiated within two years from the date the violation occurred or, for a continuing violation, within two years from the last date the violation occurred.
- Proceedings:
 - In a civil judicial proceeding the standard of fault shall be ordinary negligence.
 - In a civil or criminal proceeding it shall not be a defense to liability in the proceeding that the protected information is or was available to the public from other sources or available by inspection of public records.
 - A party accessing a data broker's website or other products or services, for the purpose of determining whether the covered person's protected information is disclosed, shall not, as a result of the access, be deemed to have agreed on behalf of the covered person or the covered person's authorized agent or assignee to any website terms and conditions with respect to the covered person, associated person or the covered person or associated person's assignee's rights under this chapter.

- It shall be an affirmative defense to liability that a person is not a covered person.
- Civil Relief: for violations of this act, the court shall award:
 - The greater of actual damages or liquidated damages computed at the rate of \$1,000 for each violation.
 - Punitive damages upon proof of willful or reckless disregard of the law.
 - Reasonable attorney fees and other litigation costs reasonably incurred.
 - Any other preliminary and equitable relief as the court determines to be appropriate.

Limitations: A disclosure of protected information is not a violation of this chapter if:

- the disclosure is made with the express authorization of the covered person or their authorized agent, contingent upon the authorization being provided subsequent to the relevant nondisclosure request, or
- the disclosure is made for the sole purpose of facilitating a transaction initiated by the covered person or their authorized agent

Further, nothing in this chapter shall preclude any of the following:

- A covered person from complying with all required disclosure and filing requirements if the covered person is a candidate for public office.
- An individual from challenging the residency of a covered person if the covered person is a candidate for public office.

Definitions:

"Assignee." A person or entity to whom a person's right to bring a civil action for a violation of section 904 (relating to nondisclosure of protected information) has been assigned, in writing, by the covered person or their authorized agent.

"Associated person." The following:

- (1) An individual connected to a principal person by one of the following relationships:
 - (i) A parent, spouse, child or grandchild of a principal person.
 - (ii) A person sharing custody of a minor child with a principal person.
 - (iii) A person sharing a primary residence with a principal person.
- (2) An individual whose main job duties and responsibilities include providing direct support to a principal person in fulfilling the principal person's obligations to the public.

"Authorized agent." Any of the following persons or entities authorized to submit or revoke a request for nondisclosure of protected information on behalf of a covered person and to engage in communications and enforcement:

- (1) A designated trustee or other agent acting under a written power of attorney or other legal instrument on behalf of any covered person who is physically or mentally incapacitated.
- (2) A parent or legal guardian on behalf of any child, who is a minor, who is otherwise entitled to nondisclosure under this act.
- (3) A person or entity that has been appointed under a written power of attorney by a covered person to act on their behalf with respect to this chapter.

(4) An agent acting on behalf of a Federal judge, a designee of the United States Marshals Service or the clerk of any United States District Court.

"Covered person." A principal person or associated person

"Data broker." A person or entity that discloses the protected information of an individual to a third party. The term does not include a governmental agency or its representatives acting in an official capacity.

"Disclose." To solicit, sell, manufacture, give, provide, lend, trade, mail, deliver, transfer, post, publish, distribute, circulate, disseminate, present, exhibit, advertise, offer or include within a searchable list or database, regardless of whether any other person or entity has actually searched the list or database for the person's information.

"Home address." A dwelling location at which an individual resides and includes the physical address, mailing address, street address, parcel identification number, plot identification number, legal property description, neighborhood name and lot number, GPS coordinates and any other descriptive property information that may reveal the home address.

"Home telephone number." A telephone number used primarily for personal communications or associated with personal communications devices, including a landline or cellular number.

"Judge." Any judge, judicial officer or magisterial district judge, as defined in 42 Pa.C.S. § 102 (relating to definitions).

"Principal person." Any active, formerly active or retired:

- (1) judge;
- (2) public official as defined in 65 Pa.C.S. § 1102 (relating to definitions); or
- (3) person who holds or previously held a Federal position or a position in another state comparable to those identified in paragraph (1) or (2) and who has a home address in this Commonwealth.

"Protected information." The term includes:

- (1) A home address, including a primary residence or secondary residences.
- (2) A home telephone number.
- (3) A personal email address.
- (4) A Social Security number or driver's license number.
- (5) A license plate number or other unique identifiers of a vehicle owned, leased or regularly used by the covered person.

Effective Date:

Immediately.

G. Relevant Existing Laws

Section 2719 (Endangerment of Public Safety Official) of the Crimes Code provides that a person commits an offense if the person intentionally or knowingly communicates or publishes the restricted personal information of a public safety official or a family or household member of a public safety official with:

- Reckless disregard that the restricted personal information will be used to threaten, intimidate or facilitate the commission of a crime against the public safety official or a family or household member of the public safety official; or

- The intent that the restricted personal information will be used to threaten, intimidate or facilitate the commission of a crime against the public safety official or a family or household member of the public safety official.

This offense is graded as a misdemeanor of the first degree (maximum possible penalty of 5 years of incarceration) unless the offense resulted in bodily injury to the public safety official, in which case the offense is graded as a felony of the second degree (maximum possible penalty of 10 years of incarceration).

As used in Section 2719, the term “public safety official” includes the following individuals:

- Police officer.
- Firefighter.
- County adult probation or parole officer.
- County juvenile probation or parole officer.
- An agent of the Pennsylvania Board of Probation and Parole.
- Sheriff.
- Deputy sheriff.
- Liquor control enforcement agent.
- Officer or employee of a correctional institution, county jail or prison, juvenile detention center.
- Judge of any court in the unified judicial system.
- An active or retired federal judge.
- The Attorney General.
- A deputy attorney general.
- A district attorney.
- An assistant district attorney.
- A public defender.
- An assistant public defender.
- A Federal law enforcement official.
- A State law enforcement official.
- A local law enforcement official.
- Any person employed to assist or who assists any Federal, State or local law enforcement official.
- Emergency medical services personnel.
- Parking enforcement officer.
- A magisterial district judge.
- A constable.
- A deputy constable.
- A psychiatric aide.
- A teaching staff member, a school board member or other employee, including a student employee, of any elementary or secondary publicly funded educational institution, any elementary or secondary private school licensed by the Department of Education or any elementary or secondary parochial school while acting in the scope of his or her employment or because of his or her employment relationship to the school.
- Governor.
- Lieutenant Governor.
- Auditor General.
- State Treasurer.
- Member of the General Assembly.
- An employee of the Department of Environmental Protection.
- An individual engaged in the private detective business.
- An employee or agent of a county children and youth social service agency or of the legal representative of such agency.
- A public utility employee or an employee of an electric cooperative.
- A wildlife conservation officer or deputy wildlife conservation officer of the Pennsylvania Game Commission.
- A waterways conservation officer or deputy waterways conservation officer of the Pennsylvania Fish and Boat Commission.
- A health care practitioner or technician.

Title 65 Section 1102

"Public official." Any person elected by the public or elected or appointed by a governmental body or an appointed official in the executive, legislative or judicial branch of this Commonwealth or any political subdivision thereof, provided that it shall not include members of advisory boards that have no authority to expend public funds other than reimbursement for personal expense or to otherwise exercise the power of the State or any political subdivision thereof.

E. Prior Session (Previous Bill Numbers & House/Senate Votes).

None.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1859 Session of 2025

INTRODUCED BY O'MARA, SAPPEY, NEILSON, VENKAT, SAMUELSON,
WEBSTER, PIELLI, SANCHEZ, KINKEAD, HANBIDGE, HOWARD, HILL-
EVANS, CIRESI, BOROWSKI, GUENST, ISAACSON, DONAHUE,
SCHLOSSBERG, BRENNAN, FRANKEL, HOHENSTEIN, KHAN, FIEDLER,
FREEMAN, WARREN, DELLOSO, CEPEDA-FREYTIZ, FLEMING,
D. WILLIAMS, OTTEN, CERRATO, GREEN, CURRY AND WAXMAN,
SEPTEMBER 10, 2025

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 11, 2025

AN ACT

Amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and
Judicial Procedure) of the Pennsylvania Consolidated
Statutes, in firearms and other dangerous articles, further
providing for persons not to possess, use, manufacture,
control, sell or transfer firearms and for abandonment of
firearms, weapons or ammunition; in community and municipal
courts, further providing for masters; adding provisions
relating to extreme risk protection orders; imposing duties
on the Office of Attorney General; and imposing penalties.

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

Section 1. Section 6105(a)(2)(ii), (a.1)(3) and (5), (c)(10)
and (f)(4)(i) of Title 18 of the Pennsylvania Consolidated
Statutes are amended and subsections (a.1) and (c) are amended
by adding paragraphs to read:

§ 6105. Persons not to possess, use, manufacture, control, sell
or transfer firearms.

(a) Offense defined.--

* * *

1 (2) * * *

2 (ii) This paragraph shall not apply to any person
3 whose disability is imposed pursuant to subsection (c)(6)
4 or (10).

5 * * *

6 (a.1) Penalty.--

7 * * *

8 (2.1) A person who is the subject of an extreme risk
9 protection order issued under 42 Pa.C.S. Ch. 64A (relating to
10 extreme risk protection orders) commits a misdemeanor of the
11 second degree if he intentionally or knowingly fails to
12 relinquish a firearm or firearms license as required by the
13 order.

14 (3) (i) A person commits a misdemeanor of the third
15 degree if he intentionally or knowingly accepts
16 possession of a firearm, other weapon or ammunition from
17 another person he knows is the subject of an active final
18 protection from abuse order issued pursuant to 23 Pa.C.S.
19 § 6108 or an active protection from abuse order issued
20 pursuant to 23 Pa.C.S. § 6107(b), which order provided
21 for the relinquishment of the firearm, other weapon or
22 ammunition during the period of time the order is in
23 effect[.], or intentionally or knowingly accepts
24 possession of a firearm or firearms license from a person
25 he knows is the subject of an extreme risk protection
26 order issued under 42 Pa.C.S. Ch. 64A.

27 (ii) This paragraph shall not apply to:

28 (A) a third party who accepts possession of a
29 firearm, other weapon or ammunition relinquished
30 pursuant to 23 Pa.C.S. § 6108.3; or

1 (B) a dealer licensed pursuant to section 6113
2 (relating to licensing of dealers) or subsequent
3 purchaser from a dealer licensed pursuant to section
4 6113, who accepts possession of a firearm, other
5 weapon or ammunition relinquished pursuant to 23
6 Pa.C.S. § 6108.2 or 42 Pa.C.S. Ch. 64A.

7 * * *

8 (5) A person who has accepted possession of a firearm,
9 other weapon or ammunition pursuant to 23 Pa.C.S. § 6108.3 or
10 who possesses a firearm or firearms license under 42 Pa.C.S.
11 Ch. 64A commits a misdemeanor of the [first] second degree if
12 he intentionally or knowingly returns a firearm, other weapon
13 or ammunition to a defendant or respondent or intentionally
14 or knowingly allows a defendant or respondent to have access
15 to the firearm, other weapon or ammunition prior to [either]
16 any of the following:

17 (i) The sheriff accepts return of the safekeeping
18 permit issued to the party pursuant to 23 Pa.C.S. §
19 6108.3(d)(1)(i).

20 (ii) The issuance of a court order pursuant to
21 subsection (f)(2) or 23 Pa.C.S. § 6108.1(b) (relating to
22 return of relinquished firearms, other weapons and
23 ammunition and additional relief) which modifies a valid
24 protection from abuse order issued pursuant to 23 Pa.C.S.
25 § 6108, which order provided for the relinquishment of
26 the firearm, other weapon or ammunition by allowing the
27 defendant to take possession of the firearm, other weapon
28 or ammunition that had previously been ordered
29 relinquished.

30 (iii) The expiration of an extreme risk protection

1 order or the issuance of a court order that terminates an
2 extreme risk protection order under 42 Pa.C.S. Ch. 64A.

3 * * *

4 (c) Other persons.--In addition to any person who has been
5 convicted of any offense listed under subsection (b), the
6 following persons shall be subject to the prohibition of
7 subsection (a):

8 * * *

9 (10) A person who has been convicted of an offense under
10 subsection [(a.1)(2)] (a.1)(2.1) or (5). The prohibition
11 shall terminate five years after the date of conviction,
12 final release from confinement or final release from
13 supervision, whichever is later.

14 (11) A person who is the subject of an active extreme
15 risk protection order issued under 42 Pa.C.S. Ch. 64A.

16 * * *

17 (f) Other exemptions and proceedings.--

18 * * *

19 (4) (i) The owner of any seized or confiscated firearms
20 or of any firearms ordered relinquished under 23 Pa.C.S.
21 § 6108 or 42 Pa.C.S. Ch. 64A shall be provided with a
22 signed and dated written receipt by the appropriate law
23 enforcement agency. This receipt shall include, but not
24 limited to, a detailed identifying description indicating
25 the serial number and condition of the firearm. In
26 addition, the appropriate law enforcement agency shall be
27 liable to the lawful owner of said confiscated, seized or
28 relinquished firearm for any loss, damage or substantial
29 decrease in value of said firearm that is a direct result
30 of a lack of reasonable care by the appropriate law

1 enforcement agency.

2 * * *

3 Section 2. Section 6128(a) heading and introductory
4 paragraph of Title 18 are amended to read:

5 § 6128. Abandonment of firearms, weapons or ammunition.

6 (a) [General rule] Abandonment.--Firearms, weapons or
7 ammunition which are itemized on a list required under 23
8 Pa.C.S. § 6108(a)(7)(v) (relating to relief) or the possession
9 or acquisition of which is prohibited under 42 Pa.C.S. Ch. 64A
10 (relating to extreme risk protection orders) or 18 U.S.C. §
11 922(g)(9) (relating to unlawful acts) and relinquished into or
12 otherwise coming into the custody of a police department,
13 Pennsylvania State Police, coroner, medical examiner, district
14 attorney, sheriff or licensed dealer shall be deemed abandoned
15 when:

16 * * *

17 Section 3. Section 1126 of Title 42 is amended to read:

18 § 1126. Masters.

19 The President Judge of the Philadelphia Municipal Court may
20 appoint attorneys who are members of the Pennsylvania Bar to
21 serve as masters in proceedings under Chapter 64A (relating to
22 extreme risk protection orders) or 23 Pa.C.S. Ch. 61 (relating
23 to protection from abuse).

24 Section 4. Title 42 is amended by adding a chapter to read:

25 CHAPTER 64A

26 EXTREME RISK PROTECTION ORDERS

27 Sec.

28 64A01. Scope of chapter.

29 64A02. Definitions.

30 64A03. Preliminary matters.

1 64A04. Petition for extreme risk protection order.

2 64A05. Interim extreme risk protection order.

3 64A06. Hearing on petition.

4 64A07. Notice to law enforcement.

5 64A08. Service.

6 64A09. Order after hearing.

7 64A10. Termination hearing.

8 64A11. Extension of order.

9 64A12. Relinquishment of firearms.

10 64A13. Return of firearms.

11 64A14. False allegations by petitioner.

12 64A15. Employment protection.

13 64A16. Mental health and chemical dependency services.

14 64A17. Instructional and informational material.

15 § 64A01. Scope of chapter.

16 This chapter relates to extreme risk protection orders.

17 § 64A02. Definitions.

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

21 "Court." A court of common pleas in this Commonwealth.

22 "Extreme risk protection order." A court order prohibiting a
23 person from having in the person's possession or control,
24 purchasing or receiving or attempting to purchase or receive a
25 firearm, based upon a finding that the person presents a
26 substantial risk of suicide or of causing the death of, or
27 serious bodily injury to, another person.

28 "Family or household member." Spouses or persons who have
29 been spouses, persons living as spouses or who lived as spouses,
30 parents and children, other persons related by consanguinity or

affinity, current or former sexual or intimate partners or persons who share biological parenthood.

"Firearm." A weapon designed to or that may readily be converted to expel a projectile by the action of an explosive or the frame or receiver of such weapon.

"Firearms dealer" or "dealer." A person licensed to sell firearms under 18 Pa.C.S. § 6113 (relating to licensing of dealers).

"Firearms license" or "license." A concealed carry license issued under 18 Pa.C.S. § 6109 (relating to licenses), safekeeping license issued under 23 Pa.C.S. § 6108.3 (relating to relinquishment to third party for safekeeping), hunting license required under 34 Pa.C.S. § 2701 (relating to license requirements) or any similar license issued pursuant to the laws of another state.

"Hearing officer." A magisterial district judge, judge of the Philadelphia Municipal Court, arraignment court magistrate appointed under section 1123 (relating to jurisdiction and venue), master appointed under section 1126 (relating to masters) and master for emergency relief.

"Law enforcement officer." An officer of the United States, of another state or political subdivision thereof or of the Commonwealth or political subdivision thereof who is empowered by law to conduct investigations of or to make an arrest for an offense enumerated in this chapter or an equivalent crime in another jurisdiction and an attorney authorized by law to prosecute or participate in the prosecution of such offense.

"Serious bodily injury." Bodily injury that creates a substantial risk of death or causes serious, permanent disfigurement or protracted loss or impairment of the function

1 of a bodily member or organ.

2 § 64A03. Preliminary matters.

3 (a) Standing.--A law enforcement officer or a family or
4 household member of a person believed to present a risk of
5 suicide or of causing the death of, or extreme bodily injury to,
6 another person may file a petition requesting that the court
7 issue an extreme risk protection order or renew an existing
8 extreme risk protection order.

9 (b) Filing fee.--No filing fee may be charged for a petition
10 under this chapter.

11 (c) Effect of service.--An extreme risk protection order is
12 effective at the time of service.

13 (d) Right to counsel.--A respondent under this chapter shall
14 have the right to be represented by counsel. If the respondent
15 cannot afford an attorney and meets the income guidelines
16 applicable to representation by a public defender in a criminal
17 case, the court shall appoint counsel upon the request of the
18 respondent.

19 § 64A04. Petition for extreme risk protection order.

20 (a) Petition.--

21 (1) A petition for an extreme risk protection order
22 shall:

23 (i) be standardized and developed by the Office of
24 Attorney General as required under section 64A17
25 (relating to instructional and informational material);

26 (ii) be verified under the Pennsylvania Rules of
27 Civil Procedure, and a person signing the petition shall
28 be subject to penalties under 18 Pa.C.S. § 4904 (relating
29 to unsworn falsification to authorities);

30 (iii) at a minimum, state facts that demonstrate the

risk presented by the respondent's ability to purchase
firearms or have possession or control of firearms; and

(iv) describe the number, types and locations of any
firearms known or believed to be owned by the respondent
or known or believed to be in the respondent's possession
or control.

(2) If the court is closed or is unavailable during the
business day, a petition may be filed with a hearing officer.

(b) Evidence of risk.--The court or hearing officer may
consider all relevant evidence, but in no case shall an order be
issued under this chapter absent a demonstration of risk due to
behaviors or events occurring in the preceding 12 months.

(c) Factors.--In determining whether grounds exist to issue
an extreme risk protection order, the court or hearing officer
shall consider evidence of the following and the recency of any
behaviors or events:

(1) Suicide threats or attempts.

(2) Threats or acts of violence or attempted acts of
violence.

(3) Domestic abuse, including any violation of a
protection from abuse order, under 23 Pa.C.S. Ch. 61
(relating to protection from abuse) or a similar law in
another state.

(4) Cruelty to animals under 18 Pa.C.S. Ch. 55 Subch. B
(relating to cruelty to animals) or a similar law in another
state.

(5) Abuse of controlled substances or alcohol, or any
criminal offense that involves controlled substances or
alcohol.

(6) Unlawful or reckless use, display or brandishing of

1 a firearm.

2 (7) Recent acquisition or attempted acquisition of a
3 firearm.

4 (8) Any additional information the court finds to be
5 reliable, if it is otherwise admissible, including a
6 statement by the respondent.

7 § 64A05. Interim extreme risk protection order.

8 (a) Rule.--The court or hearing officer reviewing a petition
9 shall issue an interim extreme risk protection order if it
10 finds, by a preponderance of the evidence, that:

11 (1) the respondent presents a substantial risk of
12 suicide or of causing the death of, or serious bodily injury
13 to, another person; and

14 (2) the risk is imminent and other circumstances that
15 would make it safe to proceed by ordering a hearing under
16 section 64A06 (relating to hearing on petition) without
17 issuing an interim extreme risk protection order do not
18 exist.

19 (b) Contents of order.--An interim extreme risk protection
20 order shall include:

21 (1) The date and time the order was issued.

22 (2) Instructions for relinquishment of any firearm or
23 firearms license that the respondent owns or that is in the
24 respondent's possession or control.

25 (3) Notice of the penalties for violating the order.

26 (4) Notice of the provisions of 18 Pa.C.S. § 6128
27 (relating to abandonment of firearms, weapons or ammunition).

28 (5) If the order was issued by a court and a hearing is
29 scheduled under subsection (d), the following:

30 (i) notice of the time, date and location of the

1 hearing;

2 (ii) notice of the right to request a continuance
3 and instructions on requesting a continuance or waiving
4 the hearing;

5 (iii) notice of the fact that, at the hearing, or if
6 the hearing is waived, the court may extend the order for
7 up to one year; and

8 (iv) notice of the right to an attorney under
9 section 64A03 (relating to preliminary matters).

10 (6) If the order was issued by a hearing officer, notice
11 of the date upon which the order will expire.

12 (c) Duration.--An interim extreme risk protection order
13 issued by a hearing officer shall expire at the end of the next
14 business day the court deems itself available, but not more than
15 five days after the issuance of the interim order. An interim
16 extreme risk protection order issued by a court shall be in
17 effect until the hearing under subsection (d).

18 (d) Hearing following interim order.--If the court orders an
19 interim extreme risk protection order under subsection (a), the
20 court shall conduct a hearing on the petition within 10 days of
21 the date of the interim order.

22 (e) Request for continuance.--The respondent may request a
23 continuance on a hearing scheduled to take place after the
24 issuance of an interim order, which the court shall grant. No
25 hearing shall be continued except with the consent of the
26 respondent.

27 § 64A06. Hearing on petition.

28 (a) Rule.--Upon reviewing a petition filed under section
29 64A04 (relating to petition for extreme risk protection order),
30 the court may issue an order for a hearing on the petition,

1 which shall be conducted within 10 days of the date of the
2 petition.

3 (b) Request for continuance.--If the hearing is scheduled to
4 take place fewer than three business days after service of the
5 order, the court shall grant a continuance until at least three
6 business days after service if requested by the respondent. The
7 court shall notify the respondent of the respondent's right to a
8 continuance under this subsection.

9 (c) Failure to appear.--If the respondent waives the right
10 to be present at a hearing or fails to appear for a hearing on a
11 petition scheduled under this section, the court may proceed
12 with the hearing and may issue an extreme risk protection order
13 in the respondent's absence.

14 § 64A07. Notice to law enforcement.

15 (a) Notice.--The court or hearing officer issuing an order
16 under this chapter shall cause a copy of the order to be
17 delivered to the sheriff, the local law enforcement agency and
18 the Pennsylvania State Police.

19 (b) Entry into database.--Upon receipt of the order, the
20 Pennsylvania State Police shall cause the order to be entered
21 into the appropriate database so that notice of the order is
22 provided through the Pennsylvania Instant Check System and the
23 Federal Bureau of Investigation National Instant Criminal
24 Background Check System.

25 § 64A08. Service.

26 (a) Service.--Service of an extreme risk protection order or
27 an order for a hearing shall be made in person by the sheriff or
28 a law enforcement officer, as directed by the court or hearing
29 officer issuing the order. At the time of service, the sheriff
30 or law enforcement officer shall provide the respondent with a

1 copy of the petition.

2 (b) Return.--Immediately upon completion of service of an
3 extreme risk protection order, the sheriff or law enforcement
4 officer completing service shall make a return of service to the
5 court and shall provide a copy of the return of service to the
6 petitioner.

7 § 64A09. Order after hearing.

8 (a) Hearing and order.--The court shall issue an extreme
9 risk protection order after conducting a hearing ordered under
10 section 64A05 (relating to interim extreme risk protection
11 order) or 64A06 (relating to hearing on petition), or after the
12 respondent waives the right to a hearing under section 64A05, if
13 the court finds by clear and convincing evidence that the
14 respondent presents a substantial risk of suicide or of causing
15 the death of, or serious bodily injury to, another person.

16 (b) Duration.--An extreme risk protection order issued after
17 a hearing shall be made effective for not less than three months
18 nor more than one year.

19 (c) Contents of order.--The order shall include:

20 (1) The date and time the order was issued.

21 (2) Notice of the right to petition the court for a
22 termination of the order.

23 (3) Instructions for relinquishment of any firearm that
24 the respondent owns or that is in the respondent's possession
25 or control, and any firearms license that is issued to the
26 respondent.

27 (4) Notice of the provisions of 18 Pa.C.S. § 6128
28 (relating to abandonment of firearms, weapons or ammunition).

29 (5) Notice of the penalties for violating the order.

30 (6) Notice of the right to appeal to the Superior Court

1 within 30 days.

2 (d) Explanatory opinion.--The court shall issue a separate,
3 nonpublic explanatory opinion and shall provide the opinion to
4 the petitioner and respondent within seven days of the issuance
5 of the order.

6 § 64A10. Termination hearing.

7 (a) Petition.--A respondent subject to an extreme risk
8 protection order may petition the court at any time during the
9 effective period of the order for a hearing to determine whether
10 the order should be terminated.

11 (b) Notice.--Upon receipt of a request for a termination
12 hearing, the court shall set a date for the hearing and shall
13 provide notice of the hearing to the petitioner, the local law
14 enforcement agency and the Pennsylvania State Police.

15 (c) Hearing.--The court shall conduct a hearing and issue an
16 order on a petition to terminate an extreme risk protection
17 order within 10 business days of receiving the petition.

18 (d) Burden of proof.--At a termination hearing, the
19 respondent seeking termination of the order shall have the
20 burden of proving, by a preponderance of the evidence, that the
21 order was issued in error or that circumstances have changed,
22 and that the respondent does not present a substantial risk of
23 suicide or of causing the death of, or serious bodily injury to,
24 another person.

25 § 64A11. Extension of order.

26 A petition to extend an extreme risk protection order shall
27 state facts that support an extension of the order. The court
28 may deny the petition based on the information stated in the
29 petition or may schedule a hearing. The court shall provide
30 notice of the hearing to the petitioner, the respondent, the

local law enforcement agency and the Pennsylvania State Police.
If the court finds by clear and convincing evidence, based on
factors specified under section 64A04 (relating to petition for
extreme risk protection order), that the respondent continues to
present a substantial risk of suicide or of causing the death
of, or serious bodily injury to, another person, the court shall
extend the extreme risk protection order for a duration of no
fewer than three months and no more than one year from the date
of the order.

§ 64A12. Relinquishment of firearms.

(a) Rule.--An extreme risk protection order issued under
section 64A05 (relating to interim extreme risk protection
order) or 64A09 (relating to order after hearing) shall require
the relinquishment of all firearms owned by the respondent or in
the respondent's possession or control within 24 hours following
service of the order, except for cause shown, in which case the
court or hearing officer issuing the order shall specify the
time for relinquishment of any or all of the respondent's
firearms.

(b) Relinquishment upon service.--A law enforcement officer
or sheriff serving an extreme risk protection order shall
request that all firearms and any firearms license in the
respondent's possession or control be immediately relinquished
into the custody of the law enforcement officer or sheriff. A
law enforcement officer taking custody of a firearm or firearms
license under this subsection shall transfer the firearm or
firearms license to the sheriff or to a firearms dealer for
safekeeping.

(c) Subsequent relinquishment.--A respondent shall, within
the time frame specified in the order, relinquish to the sheriff

1 or a firearms dealer any firearm or license remaining in the
2 respondent's possession or control after the time of service. A
3 respondent relinquishing a firearm directly to a dealer shall,
4 within the time frame specified in the order, provide to the law
5 enforcement agency or sheriff a copy of the affidavit described
6 in subsection (f) in lieu of the firearm listed in the
7 affidavit. A sheriff accepting an affidavit in lieu of a firearm
8 shall file a copy with the court.

9 (d) Receipt.--A sheriff or law enforcement officer taking
10 custody of a firearm or license from a respondent shall provide
11 the respondent with a copy of a signed and dated receipt. The
12 receipt shall include a detailed description of each firearm and
13 its condition. The sheriff or law enforcement officer issuing
14 the receipt shall file the original receipt with the court.

15 (e) Transfer to firearms dealer.--A respondent whose firearm
16 is in the custody of a sheriff may request that the firearm be
17 transferred to a firearms dealer for consignment sale, lawful
18 transfer or safekeeping. Upon receiving the request, the sheriff
19 shall transport the firearm to a dealer at no cost to the
20 respondent or the dealer.

21 (f) Affidavit.--A firearms dealer accepting custody of a
22 firearm under this chapter shall provide the respondent, sheriff
23 or law enforcement officer from which the dealer accepts custody
24 with an affidavit on a form prescribed by the Pennsylvania State
25 Police. A sheriff or law enforcement officer delivering custody
26 of a firearm to a dealer shall file a copy of the affidavit with
27 the court.

28 (g) Contents of affidavit.--The affidavit shall include the
29 following:

30 (1) The caption of the case in which the extreme risk

1 protection order was issued.

2 (2) The name, address, date of birth and Social Security
3 number of the respondent.

4 (3) A list of all firearms relinquished to the dealer
5 and a detailed description of each firearm, including its
6 condition and, if applicable, the manufacturer, model and
7 serial number.

8 (4) The name and license number of the dealer and the
9 address of the licensed premises.

10 (5) An acknowledgment that the dealer will not return a
11 firearm to the respondent while the respondent is subject to
12 an extreme risk protection order.

13 (6) An acknowledgment that the firearm, if sold or
14 transferred, will be sold or transferred in compliance with
15 18 Pa.C.S. Ch. 61 (relating to firearms and other dangerous
16 articles), and that no firearm will be returned to a
17 respondent or any third party until the dealer has
18 independently confirmed that the person requesting return of
19 the firearm is legally eligible to possess firearms under
20 Federal and State law.

21 § 64A13. Return of firearms.

22 (a) Return to respondent.--Subject to subsection (c), if,
23 following a hearing, a court vacates an interim extreme risk
24 protection order, the court shall order the immediate return of
25 all relinquished firearms and licenses to the respondent. Upon
26 termination or expiration of an extreme risk protection order,
27 the respondent may request that the sheriff or firearms dealer
28 in possession of a relinquished firearm or license return the
29 firearm or license. Subject to subsection (c), the sheriff or
30 dealer shall return the firearm or license to the respondent as

1 soon as possible, but not later than the end of the next
2 business day after the day on which the respondent makes the
3 request.

4 (b) Third party claims.--A third party may request the
5 return of a relinquished firearm at any time by providing proof
6 of ownership and a sworn affidavit. Proof of ownership may
7 consist of a statement in the affidavit. The affidavit shall
8 affirm the following:

9 (1) The third party will not recklessly, knowingly or
10 intentionally return a firearm to a person subject to an
11 extreme risk protection order nor intentionally or knowingly
12 allow a person subject to an extreme risk protection order to
13 have access to a firearm.

14 (2) The third party understands that intentionally or
15 knowingly allowing a person subject to an extreme risk
16 protection order to have access to a firearm constitutes a
17 misdemeanor of the second degree under 18 Pa.C.S. § 6105(a.1)
18 (relating to persons not to possess, use, manufacture,
19 control, sell or transfer firearms), punishable by up to two
20 years' imprisonment and up to a \$5,000 fine and resulting in
21 a five-year prohibition on firearm acquisition or possession.

22 (3) If the third party is a member of the household of a
23 person who is subject to an extreme risk protection order,
24 that any firearm returned to the third party will be stored
25 either in a gun safe to which the person does not have and
26 will not be permitted to access, or in a location outside the
27 home to which the person does not have access.

28 (c) Background check.--Prior to returning a firearm to any
29 person other than a licensed dealer, the sheriff or firearms
30 dealer in possession of the firearm shall independently confirm

1 that the person requesting return of the firearm is legally
2 eligible to possess firearms under Federal and State law. The
3 sheriff or dealer receiving a request under subsection (a) shall
4 conduct the required background check as soon as possible, but
5 not later than the end of the next business day after the day on
6 which the respondent makes the request.

7 § 64A14. False allegations by petitioner.

8 (a) Offense.--It shall be a felony of the third degree for a
9 petitioner to knowingly, intentionally or recklessly make a
10 false statement under this section for an improper purpose.

11 (b) Restitution.--A person convicted of false reporting or
12 false swearing in a petition as determined by the court to have
13 acted in bad faith for the purpose of harassing the respondent
14 shall be ordered to pay full restitution to the respondent. For
15 purposes of this section, restitution shall include, but not be
16 limited to, reasonable attorney fees, costs of storage and other
17 expenses incurred by the respondent as a result of the false
18 reporting or false swearing.

19 § 64A15. Employment protection.

20 (a) Protection.--No public employee who is subject to an
21 extreme risk protection order may be terminated from employment
22 based upon the prohibition of possessing a firearm.

23 (b) Construction.--Nothing in this section shall be
24 construed to prohibit an employer from discharging or otherwise
25 disciplining a public employee for reasons other than the
26 prohibition of possessing a firearm.

27 § 64A16. Mental health and chemical dependency services.

28 During any proceeding under this chapter, the court shall
29 consider whether a mental health or chemical dependency
30 evaluation or any proceeding under the act of July 9, 1976

1 (P.L.817, No.143), known as the Mental Health Procedures Act, is
2 necessary, and may order an evaluation or proceeding as it deems
3 necessary.

4 § 64A17. Instructional and informational material.

5 The Office of Attorney General shall develop and prepare
6 instructions and informational brochures, standard petitions and
7 extreme risk protection order forms and a staff handbook on the
8 extreme risk protection order process. The following apply:

9 (1) The standard petition and order forms or petitions
10 or forms which are substantially similar must be used for all
11 petitions filed and orders issued under this chapter.

12 (2) The instructions, brochures, forms and handbook
13 shall be prepared in consultation with interested persons,
14 including representatives of gun violence prevention groups,
15 judges and law enforcement personnel. Materials shall be
16 based on best practices and available electronically online
17 to the public.

18 (3) The instructions shall be designed to assist
19 petitioners in completing the petition and include a sample
20 of a standard petition and order for protection forms.

21 (4) The instructions and standard petition shall include
22 a means for a petitioner to identify, with only lay
23 knowledge, the firearms the respondent may own, possess,
24 receive or have in the respondent's custody or control. The
25 instructions shall provide pictures of types of firearms that
26 a petitioner may choose from to identify the relevant
27 firearms or an equivalent means to allow a petitioner to
28 identify firearms without requiring specific or technical
29 knowledge regarding firearms.

30 (5) The informational brochure shall describe the use of

1 and the process for obtaining, modifying and terminating an
2 extreme risk protection order under this chapter and provide
3 relevant forms.

4 (6) The extreme risk protection order form shall
5 include, in a conspicuous location, notice of criminal
6 penalties resulting from violation of the order and the
7 following statement:

8 You have the sole responsibility to avoid or refrain
9 from violating this order's provisions. Only the
10 court can change the order and only upon written
11 application.

12 (7) The staff handbook shall allow for the addition of a
13 community resource list by the clerk of court. All clerks of
14 court may create a community resource list of crisis
15 intervention, mental health, substance abuse, interpreter,
16 counseling and other relevant resources serving the county in
17 which the court is located. The clerk of court may make the
18 community resource list available as part of or in addition
19 to the informational brochure described in this section.

20 (8) The Office of Attorney General shall distribute a
21 master copy of the petition and order forms, instructions and
22 informational brochures to all clerks of court and shall
23 distribute a master copy of the petition and order forms to
24 all superior, district and municipal courts. Distribution of
25 all documents shall, at a minimum, be in an electronic format
26 or formats accessible to all courts and clerks of court in
27 this Commonwealth.

28 (9) The Office of Attorney General shall determine the
29 significant non-English-speaking or limited-English-speaking
30 populations in this Commonwealth. The Office of Attorney

1 General shall arrange for translation of the instructions and
2 informational brochures required by this section, which shall
3 contain a sample of the standard petition and order for
4 protection forms, into the languages spoken by those
5 significant non-English-speaking populations and shall
6 distribute a master copy of the translated instructions and
7 informational brochures to all clerks of court within one
8 year of the effective date of this paragraph.

9 (10) The Office of Attorney General shall update the
10 instructions, brochures, standard petition and extreme risk
11 protection order forms and staff handbook as necessary,
12 including when changes in the law necessitate an update.

13 Section 5. This act shall take effect in 90 days.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB1859 PN2302	Prepared By:	David Vitale, Esq. (717) 705-1880,6078
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	O'Mara, Jennifer		
Date:	9/16/2025		

A. Brief Concept

Creates extreme risk protection orders to temporarily prohibit persons who are at substantial risk of suicide or causing death or serious bodily injury to another from possessing a firearm.

C. Analysis of the Bill

Amends the Uniform Firearm Act (UFA) by prohibiting a person who is subject of an "extreme risk protective order" (ERPO) from possessing a firearm. The bill adds Chapter 64A to the UFA. It allows a law enforcement officer or family or household member of a person to petition the court for an ERPO.

Who can obtain an ERPO? Law enforcement officers and family or household members, including a current or former sexual or intimate partner, may seek an ERP order. The bill defines law enforcement officer as any officer empowered by law to conduct investigations of or make an arrest for an offense enumerated in Chapter 64A, including an officer of the United States or another state or political subdivision thereof. The bill defines "family or household member" as a "spouse or person who have been spouses, persons living as a spouse or who lived as spouses, parent and children, child, other persons related by consanguinity or affinity, current or former sexual or intimate partners or person who shares biological parenthood."

No filing fee may be charged.

Grounds for an ERPO. A petition must be verified, and must be on a form standardized and developed by the AG. It must state facts that demonstrate the risks presented by the respondent's ability to purchase firearms or have possession or control of firearms and must describe the number, types and locations of any firearms known or believed to be owned by the respondent for known or believed to be in the respondent's possession or control. The court may not issue an order absent a demonstration of risk due to behaviors or events occurring in the preceding 12 months. In considering whether to issue the ERPO, a court must consider evidence of the following and the recency of any behaviors or events:

1. Suicide threats or attempts.
2. Threats or acts of violence or attempted acts of violence.
3. Domestic abuse, including any violation of a protection from abuse order, under 23 Pa.C.S. Ch. 61 (relating to protection from abuse) or a similar law in another state.
4. Cruelty to animals under 18 Pa.C.S. Ch. 55 Subch. B (relating to cruelty to animals) or a similar law in another state.
5. Abuse of controlled substances or alcohol, or any criminal offense that involves controlled substances or alcohol.
6. Unlawful or reckless use, display or brandishing of a firearm.
7. Recent acquisition or attempted acquisition of a firearm.
8. Any additional information the court finds to be reliable, and otherwise admissible, including a statement by the respondent.

Decision by the court. Upon receipt of a petition, a court must either (1) issue a temporary ERPO and schedule a hearing, which must be held not fewer than three nor more than 10 days from date of the order; (2) issue an order for a hearing on the petition without issuing an ERPO order, in which case the hearing shall be scheduled no fewer than three nor more than 10 days

from date of the order, but in no event held fewer than three days after date of service of the order over objection of respondent; or (3) dismiss the matter. If a respondent fails to appear for a hearing on a petition, the court may issue a temporary ERPO and seize any firearm or concealed carry license in possession or control of the person.

Issuance of interim ERPO. A court shall issue an interim ERPO if it finds by a preponderance of evidence that a person presents a substantial risk of suicide or causing death of, or serious bodily injury to, another person and it finds the risk is imminent and other circumstances which would make it safe to proceed by ordering hearing on a final petition do not exist. An interim ERPO order expires at the end of the next business day the court deems itself available, but not more than 5 days after issuance.

An interim extreme risk protection order shall include:

1. The date and time the order was issued.
2. Instructions for relinquishment of any firearm or firearms license that the respondent owns or that is in the respondent's possession or control.
3. Notice of the penalties for violating the order.
4. Notice of the provisions of 18 Pa.C.S. § 6128 (relating to abandonment of firearms, weapons or ammunition).
5. If the order was issued by a court and a hearing is scheduled under subsection (d) (which requires a hearing on the petition within 10 days of the days of the interim order), the order shall include:

- (i) notice of the time, date and location of the hearing;
- (ii) notice of the right to request a continuance and instructions on requesting a continuance or waiving the hearing;
- (iii) notice of the fact that, at the hearing, or if the hearing is waived, the court may extend the order for up to one year; and
- (iv) notice of the right to an attorney under section 64A03 (relating to preliminary matters).

6. If the order was issued by a hearing officer, the order shall include notice of the date upon which the order will expire

An interim extreme risk protection order issued by a court shall be in effect until a hearing is held, which shall be held within 10 days of the date of the order. Respondent may request a continuance of the hearing scheduled to take place after issuance of an interim order, and that request must be granted. no hearing may be continued except with the consent of respondent

Notice to law enforcement. Upon issuing such order, the court shall cause a copy of it to be delivered to the sheriff, local law enforcement agency and PSP, which shall enter the order into the Instant Check System and request it be entered into the FBI National Instant Criminal Background Check System.

Service of ERPO. Service must be made in person by a sheriff or law enforcement officer, as directed by the court. Upon completion of service, the person completing service must make a return of service to the court and provide a copy of the return of service and order to the petitioner, local law enforcement agency and PSP.

Hearing. A person has the right to a hearing on a petition for ERPO. The court may order a hearing which shall be conducted within 10 days of the petition. If a hearing is scheduled less than 3 business days after service of the order, a court must grant a continuance of requested by the subject of the order, and must notify that party of the right to a continuance. If the person fails to appear for a scheduled hearing, the court may proceed with the hearing and may issue an ERPO.

Standard for and Duration of Order. If, after a hearing, the court finds by clear and convincing evidence respondent presents a danger of suicide or causing serious bodily injury to another, it shall issue an ERPO and a warrant to search for and seize any firearm or concealed

carry license in respondent's possession or control. An order entered after a hearing shall be in effect no fewer than three months and no longer than one year from date of the order.

Contents of the order. The order shall include date and time it was issued, notice that respondent may request a termination hearing, instructions for relinquishment of firearms remaining in possession or control of respondent and any firearm license issued to the respondent, notice of provisions of Section 6128 of the UFA (abandonment of firearms, weapons, or ammo) notification of penalties for violating the order, and notice of the right to appeal.

Termination hearing. A person subject to an extreme risk protective order shall have the right to petition for a hearing during the effective period of the order to determine whether the order should be terminated earlier than the specified expiration date. The court must provide notice of the termination hearing to the person requesting the hearing, the original petitioner, local law enforcement agency and PSP. The person subject to the order shall have the burden of proving by a preponderance of evidence he does not present a substantial risk of suicide or causing the death of, or serious bodily injury to, another.

Extension of order. A petition to extend an extreme risk protective order shall specify facts supporting issuance of the order. The Court may deny a petition or schedule a hearing. Notice of the hearing shall be provided by the court to the petitioner and respondent as well as the local law enforcement agency and PSP. If the court finds by clear and convincing evidence that respondent continues to present a substantial risk of suicide or of causing a death of, or serious bodily injury to, another, it shall extend the ERPO for not less than 3 months nor more than one year. A renewal hearing shall take place no more than 30 days before expiration of an existing order. An order may be renewed for a duration of up to one year.

Relinquishment of firearms. A ERPO must require relinquishment of all firearms owned by respondent or in respondent's possession within 24 hours of service of the order, except for cause shown, in which case the order shall specify the time for relinquishment. A law enforcement officer or sheriff serving an extreme risk protection order shall request that all firearms and any firearms license in the respondent's possession or control be immediately relinquished into the custody of the law enforcement officer or sheriff. A law enforcement officer taking custody of a firearm or firearms license under this subsection shall transfer the firearm or firearms license to the sheriff or to a firearms dealer for safekeeping. Subsequently, a respondent shall, within the time frame specified in the order, relinquish to the sheriff or a firearms dealer any firearm or license remaining in the respondent's possession or control after the time of service. A person who is subject of an extreme risk protection order commits a misdemeanor of the 2nd degree if he intentionally or knowingly or firearms licensed as required by the order

Relinquishment to a dealer. A respondent relinquishing a firearm directly to a dealer shall, within the time frame specified in the order, provide to the law enforcement agency or sheriff a copy of the affidavit indicating the dealer accepted the firearm in lieu of the firearm listed in the affidavit. A sheriff accepting an affidavit in lieu of a firearm shall file a copy with the court. The affidavit shall include: A sheriff or law enforcement officer taking custody of a firearm or license from a respondent shall provide the respondent with a copy of a signed and dated receipt. The receipt shall include a detailed description of each firearm and its condition. The sheriff or law enforcement officer issuing the receipt shall file the original receipt with the court.

The contents of the affidavit shall include:

- The caption of the ERPO case.
- The name, address, DOB and SSN of respondent.
- A list of all firearms relinquished to the dealer and a detailed description of each firearm, including its condition and, if applicable, the manufacturer, model and serial number.
- The name, license number and address of the dealer.
- An acknowledgment that the dealer will not return a firearm to the respondent while the respondent is subject to an extreme risk protection order.

- An acknowledgment that the firearm, if sold or transferred, will be sold or transferred in compliance with 18 Pa.C.S. Ch. 61 (relating to firearms and other dangerous articles), and that no firearm will be returned to a respondent or any third party until the dealer has independently confirmed that the person requesting return of the firearm is legally eligible to possess firearms under Federal and State law.

Return of relinquished firearms and unclaimed firearms. If a court vacates an interim ERPO, it shall order immediate return of all relinquished firearms and licenses. Upon termination or expiration of an ERPO, the respondent may request return of firearms and licenses. The firearms must be returned ASAP, but not later than the end of the next business day after the request of respondent. Before returning the firearm to any person other than a licensed dealer, the Sheriff or firearms dealer in possession of the firearm must independently confirm the person requesting the return of the firearm is legally eligible to possess it under federal and state law.

Third party request. A third party may request return of a relinquished firearm by providing proof of ownership and sworn affidavit that she will not intentionally or knowingly return the firearm to a person subject to an ERPO, a family or household member of such person, or intentionally or knowingly permit a person subject to such order to have access to the firearm. The affidavit must also indicate the third party understands allowing the person access is a misdemeanor of the second degree, with 2 years imprisonment, a \$5K fine and loss of firearms privileges for 5 years. Before returning a firearm, the law enforcement agency or the dealer in possession of the relinquished firearms must independently confirm the person requesting return is legally eligible to possess under federal and state law.

Firearms disability. A person is convicted of failing to relinquish a firearm as required by and extreme risk protection order or who to a person who is not permitted to have access is subject to a firearms disability for five years.

Violations. Establishes a felony of the third degree for a petitioner to knowingly, intentionally or recklessly make a false statement under this section for an improper purpose. Penalties for false reports and false swearing apply to conduct applicable under this Chapter. A person convicted of false reporting or false swearing in a petition to have acted in bad faith for purposes of harassing the respondent shall be ordered to pay full restitution to the respondent. Full restitution includes reasonable attorney's fees, costs of storage and other expenses incurred by the respondent as a result of the false reporting or false swearing. False allegations by petitioner. It shall be a felony of the third degree for a petitioner to knowingly, intentionally or recklessly make a false statement under this section for an improper purpose.

Employment protection. No public employee who is subject to an extreme risk protection order may be terminated from employment based on the prohibition of possessing a firearm.

Mental Health and chemical dependency services. A court at any stage of the proceedings may consider whether a mental health for chemical dependency evaluation or proceeding under the Mental Health Procedures Act is necessary and may order an evaluation or proceeding as it deems necessary.

Instructional and informational material. The Attorney General shall develop and prepare instructions and informational brochures, standard petitions and extreme risk protection order forms and a staff handbook on the extreme risk protection order process.

Right to Counsel. Respondent is entitled to be represented by counsel. If respondent cannot afford an attorney and meets the income guidelines applicable to representation by a public defender in a criminal case, the court shall appoint counsel upon request.

Effective Date:

90 Days.

G. Relevant Existing Laws

Section 301 of the Mental Health Procedures Act, 50 P.S. 7301, provides a person who is "severely mentally disabled" and in need of immediate treatment, may be made subject to involuntary emergency examination and treatment. A person is "severely mentally disabled" when, as a result of mental illness, his capacity to exercise self-control, judgment and discretion in the conduct of his affairs and social relations or to care for his own personal needs is so lessened that he poses a clear and present danger of harm to others or to himself.

An involuntary commitment can be a basis for a firearms disability. However, it does not result in an order for immediate seizure of firearms of firearm concealed carry license.

See, felony perjury (18 Pa.C.S. 4902), misdemeanor unsworn falsification (18 Pa.C.S. 4904), misdemeanor filing false police report (18 Pa.C.S. 4906).

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

2022-2023 HB 1018 PN1152 passed the House 102-99 on May 22, 2023. Rep's Hogan and Tomlinson voted in favor and Rep. Burns opposed.

2021-2022 HB 1903 by Representative Stephens was referred to Judiciary but received no action.

2019-2020 HB 1075 by Representative Stephens was referred to Judiciary but received no action.

2017-2018 HB 2109 by Representative McCarter also creates a similar order but received no action.

2015-2016 HB 1030 by Representative McCarter was referred to Judiciary but received no action.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1866 Session of
2025

INTRODUCED BY STEELE, SANCHEZ, CEPEDA-FREYTIZ, WAXMAN, HILL-
EVANS, VITALI, VENKAT, DOUGHERTY, HOHENSTEIN, FREEMAN, KHAN,
SCHLOSSBERG, BURGOS, GUENST, RIVERA, K.HARRIS, BOROWSKI,
FRANKEL, SHUSTERMAN, DONAHUE, GREEN, SCOTT AND KINKEAD,
SEPTEMBER 16, 2025

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 17, 2025

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in inchoate crimes, further providing
3 for prohibited offensive weapons.

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

6 Section 1. Section 908(c) of Title 18 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 908. Prohibited offensive weapons.

9 * * *

10 (c) Definitions.--As used in this section, the following
11 words and phrases shall have the meanings given to them in this
12 subsection:

13 "Firearm." Any weapon which is designed to or may readily be
14 converted to expel any projectile by the action of an explosive
15 or the frame or receiver of any such weapon.

16 "Machinegun." As defined in 26 U.S.C. § 5845(b) (relating to
17 definitions).

1 "Machinegun conversion device." A part or combination of
2 parts designed and intended to accelerate the rate of fire of a
3 semiautomatic firearm to simulate the rate of fire of a
4 machinegun.

5 "Offensive weapons." Any bomb, grenade, [machine gun,]
6 machinegun, machinegun conversion device, sawed-off shotgun with
7 a barrel less than 18 inches, firearm specially made or
8 specially adapted for concealment or silent discharge, any
9 blackjack, sandbag, metal knuckles, any stun gun, stun baton,
10 taser or other electronic or electric weapon or other implement
11 for the infliction of serious bodily injury which serves no
12 common lawful purpose.

13 * * *

14 Section 2. Within 10 days of the effective date of this
15 section, the Attorney General shall transmit notice describing
16 in detail the contents of this act to the Legislative Reference
17 Bureau for publication in the next available issue of the
18 Pennsylvania Bulletin.

19 Section 3. This act shall take effect as follows:

20 (1) The following shall take effect immediately:

21 Section 2 of this act.

22 This section.

23 (2) The remainder of this act shall take effect 30 days
24 after the publication in the Pennsylvania Bulletin of the
25 notice under section 2 of this act.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HB1866 PN2315	Prepared By:	David Vitale, Esq. (717) 705-7011,6791
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Steele, Sanchez, Cepeda-Freytiz		
Date:	9/16/2025		

A. Brief Concept

Adds machinegun conversion devices (MCD's) to the list of prohibited offensive weapons.

C. Analysis of the Bill

Amends Section 908 of the title 18 by adding machinegun conversion devices to the list of prohibited offensive weapons.

The bill defines "machinegun" by borrowing Section 201 of the Internal Revenue Code of 1986, which defines machine gun as "any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person."

The bill also defines "Machinegun conversion device" as a part or combination of parts designed and intended to accelerate the rate of fire of a semiautomatic firearm to simulate the rate of fire of a machinegun.

A conviction under § 908 is a misdemeanor of the first degree and is punishable by up to five years imprisonment and a fine of up to \$10,000 and results in a firearms disability under 18 Pa.C.S. 6105(b).

Effective Date:

Within 10 days of the bill being signed by the Governor, the Attorney General shall transmit notice describing in detail the contents of this act to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin. The remainder of this act shall take effect 30 days after the publication in the Pennsylvania Bulletin of the notice.

G. Relevant Existing Laws

Under Federal law Machineguns, including Machinegun Conversion Devices (MCD's), may not be possessed or transferred, although limited exceptions exist. 18 U.S.C. § 922(o), 27 C.F.R. 479.105.

Titel 18, § 908. Prohibited offensive weapons.

(a) Offense defined.--A person commits a misdemeanor of the first degree if, except as authorized by law, he makes repairs, sells, or otherwise deals in, uses, or possesses any offensive weapon.

(b) Exceptions.--(1) It is a defense under this section for the defendant to prove by a preponderance of evidence that he possessed or dealt with the weapon solely as a curio or in a

dramatic performance, or that, with the exception of a bomb, grenade or incendiary device, he complied with the National Firearms Act (26 U.S.C. § 5801 et seq.), or that he possessed it briefly in consequence of having found it or taken it from an aggressor, or under circumstances similarly negating any intent or likelihood that the weapon would be used unlawfully.

(2) This section does not apply to police forensic firearms experts or police forensic firearms laboratories. Also exempt from this section are forensic firearms experts or forensic firearms laboratories operating in the ordinary course of business and engaged in lawful operation who notify in writing, on an annual basis, the chief or head of any police force or police department of a city, and, elsewhere, the sheriff of a county in which they are located, of the possession, type and use of offensive weapons.

(3) This section shall not apply to any person who makes, repairs, sells or otherwise deals in, uses or possesses any firearm for purposes not prohibited by the laws of this Commonwealth.

(c) Definitions.--"Firearm." Any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive or the frame or receiver of any such weapon.

"Offensive weapons." Any bomb, grenade, **machine gun**, sawed-off shotgun with a barrel less than 18 inches, firearm specially made or specially adapted for concealment or silent discharge, any blackjack, sandbag, metal knuckles, any stun gun, stun baton, taser or other electronic or electric weapon or other implement for the infliction of serious bodily injury which serves no common lawful purpose.

E. Prior Session (Previous Bill Numbers & House/Senate Votes).

None.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 165 Session of
2025

INTRODUCED BY DALEY, MADDEN, FREEMAN, KHAN, HILL-EVANS, PIELLI,
HOHENSTEIN, SANCHEZ, STEELE AND GREEN, APRIL 1, 2025

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 1, 2025

A RESOLUTION

1 Directing the Joint State Government Commission to conduct a
2 study and issue a report on the status of the pretrial
3 detention practices and pretrial detainee populations in this
4 Commonwealth.

5 WHEREAS, Pretrial detainees comprise approximately one-third
6 of the total incarcerated population of this Commonwealth; and

7 WHEREAS, Pennsylvania's county jails house approximately
8 20,000 pretrial detainees; and

9 WHEREAS, Pretrial detainees comprise approximately 80% of
10 county jail populations; and

11 WHEREAS, County jail records, requested through the right-to-
12 know legal mechanism, suggest that the average pretrial
13 detention duration is at least 50 days and likely close to 150
14 days; and

15 WHEREAS, Pretrial detention can lead to the loss of an
16 individual's job or home; and

17 WHEREAS, Pretrial detainees often suffer from strained or
18 lost relationships with loved ones because of their
19 incarceration; and

1 WHEREAS, Commonwealth or county government action that leads
2 directly to the suffering of an individual, particularly an
3 individual not yet tried, sentenced or found guilty, should be
4 minimized, undertaken with diligence and cited, recorded and
5 made available to the public in the form of accessible records;
6 and

7 WHEREAS, Pretrial detention is enormously expensive to
8 taxpayers, with the cost of jailing a single pretrial detainee
9 for one year surpassing the State's per capita income and the
10 total annual pretrial detention cost approaching \$1 billion; and

11 WHEREAS, Aside from the Department of Corrections' County
12 Statistics and General Information reports, which provide only
13 an estimate of the total pretrial detainee population in this
14 Commonwealth, Statewide records that inform the public of the
15 nature of the pretrial detainee population do not currently
16 exist; and

17 WHEREAS, Many State agencies, county governments, nonprofit
18 organizations, coalitions and public-private partnerships
19 interested in criminal justice could benefit from an improved
20 understanding of the pretrial detention practices in this
21 Commonwealth; therefore be it

22 RESOLVED, That the House of Representatives direct the Joint
23 State Government Commission to conduct a study and issue a
24 report on the status of the pretrial detention practices and
25 pretrial detainee populations in this Commonwealth; and be it
26 further

27 RESOLVED, That the study:

28 (1) describe county-level pretrial practices, including
29 the presence or absence of pretrial population records,
30 dedicated pretrial offices, judicial review mechanisms for

1 detention decisions and formal arrestee interviews prior to
2 preliminary arraignments;

3 (2) describe the pretrial populations of county jails,
4 including the average and total sizes of pretrial
5 populations, the probation detainee populations, the
6 populations held on unmet cash bail, the populations held on
7 remand, the populations held on a misdemeanor offense and the
8 basic demographics of these populations, including sex, age
9 and race; and

10 (3) identify gaps in the ability of publicly available
11 records to describe the pretrial populations of county jails
12 and the pretrial population of this Commonwealth as a whole;
13 and be it further

14 RESOLVED, That the Joint State Government Commission consult
15 with:

16 (1) relevant State agencies;

17 (2) county governments of this Commonwealth; and

18 (3) nongovernmental organizations with justice system
19 expertise, including academic centers and nonprofit
20 organizations;

21 and be it further

22 RESOLVED, That the Joint State Government Commission make
23 recommendations on steps to be taken to make improvements to
24 pretrial detention practices, information on pretrial detainee
25 populations and accessibility to records regarding pretrial
26 detainee populations; and be it further

27 RESOLVED, That the Joint State Government Commission issue a
28 report of its findings and recommendations no later than 12
29 months after the adoption of this resolution and submit the
30 report to:

1 (1) the Majority Leader and Minority Leader of the
2 Senate;

3 (2) the Majority Leader and Minority Leader of the House
4 of Representatives;

5 (3) the chairperson and minority chairperson of the
6 Judiciary Committee of the Senate; and

7 (4) the chairperson and minority chairperson of the
8 Judiciary Committee of the House of Representatives.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HR0165 PN1221	Prepared By:	Marissa Itterly
Committee:	Judiciary		(717) 787-9516,6312
Sponsor:	Daley, Mary Jo	Executive Director:	David Vitale, Esq.
Date:	4/3/2025		

A. Brief Concept

Directs the Joint State Government Commission to conduct a study and issue a report on the status of the pretrial detention practices and pretrial detainee populations in Pennsylvania.

C. Analysis of the Bill

The study would:

- Describe county-level pretrial practices, including the presence or absence of pretrial population records, dedicated pretrial offices, judicial review mechanisms for detention decisions, and formal arrestee interviews prior to preliminary arraignments;
- Describe the pretrial populations of county jails, including the average and total sizes of pretrial populations, the probation detainee populations, the populations held on unmet cash bail, the populations held on remand, the populations held on misdemeanor offense, and the basic demographics of these populations, including sex, age, and race; and
- Identify gaps in the ability of publicly available records to describe the pretrial populations of county jails and the pretrial population in Pennsylvania as a whole.

The commission may consult with relevant state agencies, county governments, and nongovernmental organizations with justice system expertise, including academic centers and nonprofit organizations.

Based on the aforesaid study, the commission is to make recommendations on steps to be taken to make improvements to pretrial detention practices, information on pretrial detainee populations and accessibility to records regarding pretrial detainee populations.

The findings and recommendations shall be submitted to the Majority Leader and Minority Leader of the House and Senate and the majority and minority chairperson of the Judiciary Committee of the House and Senate.

Effective Date:

The report and recommendations are due no later than 12 months after adoption.

G. Relevant Existing Laws

Pa. Const. Art. 1 § 13. Bail, fines and punishments.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel punishments inflicted.

Pa. Const. Art. 1 § 14. Prisoners to be bailable; habeas corpus.

All prisoners shall be bailable by sufficient sureties, unless for capital offenses or for offenses for which the maximum sentence is life imprisonment or unless no condition or combination of conditions other than imprisonment will reasonably assure the safety of any person and the community when the proof is evident or presumption great; and the privilege of the writ of

habeas corpus shall not be suspended, unless when in case of rebellion or invasion the public safety may require it.

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**Title 18 (Crimes and Offenses), 4956. Pretrial release.**

(a) Conditions for pretrial release.--Any pretrial release of any defendant whether on bail or under any other form of recognizance shall be deemed, as a matter of law, to include a condition that the defendant neither do, nor cause to be done, nor permit to be done on his behalf, any act proscribed by section 4952 (relating to intimidation of witnesses or victims) or 4953 (relating to retaliation against witness or victim) and any willful violation of said condition is subject to punishment as prescribed in section 4955(3) (relating to violation of orders) whether or not the defendant was the subject of an order under section 4954 (relating to protective orders).

(b) Notice of condition.--From and after the effective date of this subchapter, any receipt for any bail or bond given by the clerk of any court, by any court, by any surety or bondsman and any written promise to appear on one's own recognizance shall contain, in a conspicuous location, notice of this condition.

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42 Pa.C.S. § 5701. Right to bail.

All prisoners shall be bailable by sufficient sureties, unless:

(1) for capital offenses or for offenses for which the maximum sentence is life imprisonment;
or

(2) no condition or combination of conditions other than imprisonment will reasonably assure the safety of any person and the community when the proof is evident or presumption great.

E. Prior Session (Previous Bill Numbers & House/Senate Votes)

None.

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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 279 Session of
2025

INTRODUCED BY DELOZIER, HILL-EVANS, BRIGGS, CONKLIN, CURRY,
FLOOD, GALLAGHER, GAYDOS, GUENST, HOHENSTEIN, HOWARD,
MCNEILL, NEILSON, O'MARA, PROBST, RIVERA, SANCHEZ, SCHEUREN,
SHUSTERMAN, VENKAT, WAXMAN AND D. WILLIAMS, JULY 1, 2025

REFERRED TO COMMITTEE ON JUDICIARY, JULY 1, 2025

A RESOLUTION

1 Recognizing the month of October 2025 as "Domestic Violence
2 Awareness Month" in Pennsylvania.

3 WHEREAS, Beginning in 1989, the month of October was declared
4 as "National Domestic Violence Awareness Month" in the United
5 States; and

6 WHEREAS, The Department of Justice defines "domestic
7 violence" as "a pattern of abusive behavior in any relationship
8 that is used by one partner to gain or maintain power and
9 control over another intimate partner"; and

10 WHEREAS, Domestic violence is a significant issue in the
11 United States that affects more than 10 million people every
12 year; and

13 WHEREAS, According to the Pennsylvania Coalition Against
14 Domestic Violence (PCADV), one in three women and one in four
15 men experience domestic violence in their lifetimes; and

16 WHEREAS, Over the past decade, PCADV reports that more than
17 1,400 individuals were killed in this Commonwealth as a result

1 of domestic violence; and

2 WHEREAS, In 2024 alone, 104 individuals died as a result of
3 domestic violence in this Commonwealth according to PCADV; and

4 WHEREAS, Across the United States, PCADV reports that 20% of
5 pregnant women experience domestic violence during their
6 pregnancy; and

7 WHEREAS, Women with unintended pregnancies are two to four
8 times more likely to experience physical abuse compared to those
9 with planned pregnancies; and

10 WHEREAS, Homicide is the leading cause of death among
11 pregnant women in the United States; and

12 WHEREAS, The stress and trauma experienced by victims of
13 domestic violence can lead to depression, feelings of
14 hopelessness, sadness and withdrawal from social interactions;
15 and

16 WHEREAS, Domestic violence disrupts the family structure and
17 creates an environment that breeds fear, mistrust and
18 instability; and

19 WHEREAS, Domestic violence normalizes unhealthy and abusive
20 relationships, leading to confusion with respect to appropriate
21 behavior and boundaries within a family; and

22 WHEREAS, According to the National Institutes of Health,
23 children who are exposed to domestic violence commonly grow up
24 to believe that violence is a reasonable approach to resolving
25 conflicts; and

26 WHEREAS, Various groups dedicated to providing resources and
27 support services for victims of domestic violence served more
28 than 3,000 victims in a single day in 2023; and

29 WHEREAS, PCADV estimates that the lifetime economic burden of
30 intimate partner violence in this Commonwealth is \$156 billion;

1 and

2 WHEREAS, PCADV's publicly accessible Internet website lists
3 various resources and support services for victims of domestic
4 violence throughout this Commonwealth; and

5 WHEREAS, The Office of Victim Advocate established the
6 Address Confidentiality Program for victims of domestic and
7 sexual violence as required by 23 Pa.C.S. § 6703; and

8 WHEREAS, Domestic violence public awareness can empower
9 victims by validating their experiences and encouraging them to
10 report acts of domestic violence to law enforcement before the
11 violence escalates; and

12 WHEREAS, By recognizing the month of October 2025 as
13 "Domestic Violence Awareness Month," the House of
14 Representatives can inform and educate the public about domestic
15 violence, its prevalence in this Commonwealth, its impact on
16 victims and families and the various resources and support
17 systems available to assist and protect victims; therefore be it

18 RESOLVED, That the House of Representatives recognize the
19 month of October 2025 as "Domestic Violence Awareness Month" in
20 Pennsylvania; and be it further

21 RESOLVED, That the House of Representatives commit to raising
22 awareness and providing resources to support and protect victims
23 of domestic violence in this Commonwealth.

HOUSE OF REPRESENTATIVES

DEMOCRATIC COMMITTEE BILL ANALYSIS

Bill No:	HR0279 PN2079	Prepared By:	Marissa Itterly (717) 705-1880,6312
Committee:	Judiciary	Executive Director:	David Vitale, Esq.
Sponsor:	Delozier, Sheryl and Hill-Evans, Carol		
Date:	7/22/2025		

A. Brief Concept

Recognizes the month of October 2025 as "Domestic Violence Awareness Month" in Pennsylvania.

C. Analysis of the Bill

Beginning in 1989, the month of October was declared as "National Domestic Violence Awareness Month" in the United States.

The Department of Justice defines "domestic violence" as "a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner" and affects more than 10 million people every year.

According to the Pennsylvania Coalition Against Domestic Violence (PCADV), one in three women and one in four men experience domestic violence in their lifetime.

Over the past decade, PCADV reports that more than 1,400 individuals were killed in this Commonwealth as a result of domestic violence and in 2024 alone, 104 individuals died as a result of domestic violence in the Commonwealth.

Across the United States, PCADV reports that 20% of pregnant women experience domestic violence during their pregnancy and women with unintended pregnancies are two to four times more likely to experience physical abuse compared to those with planned pregnancies. Homicide is the leading cause of death among pregnant women in the United States.

The stress and trauma experienced by victims of domestic violence can lead to depression, feelings of hopelessness, sadness and withdrawal from social interactions and domestic violence disrupts the family structure and creates an environment that breeds fear, mistrust and instability.

According to the National Institutes of Health, children who are exposed to domestic violence commonly grow up to believe that violence is a reasonable approach to resolving conflicts. PCADV estimates that the lifetime economic burden of intimate partner violence in this Commonwealth is \$156 billion.

Domestic violence public awareness can empower victims by validating their experiences and encouraging them to report acts of domestic violence to law enforcement before the violence escalates.

By recognizing the month of October 2025 as "Domestic Violence Awareness Month," the House of Representatives can inform and educate the public about domestic violence, its prevalence in this Commonwealth, its impact on victims and families and the various resources and support systems available to assist and protect victims.

Effective Date:

October 2025.

G. Relevant Existing Laws

Resolution.

E. Prior Session (Previous Bill Numbers & House/Senate Votes).

This resolution was previously HR 541 from the 2023 - 2024 Legislative Session. Passed out of the State Government Committee 24-1 (Fink =NO) on October 1, 2024.

This document is a summary of proposed legislation and is prepared only as general information for use by the Democratic Members and Staff of the Pennsylvania House of Representatives. The document does not represent the legislative intent of the Pennsylvania House of Representatives and may not be utilized as such.