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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 357 Session of  
2013

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INTRODUCED BY METCALFE, BAKER, BLOOM, BROOKS, CAUSER, CLYMER,  
EVERETT, GABLER, GROVE, HAHN, C. HARRIS, HESS, HICKERNELL,  
KAUFFMAN, F. KELLER, M. K. KELLER, KNOWLES, KRIEGER, MAJOR,  
MILLARD, MILLER, MOUL, MULLERY, PYLE, SACCONI, SANKEY,  
STEVENSON, TALLMAN, CUTLER, ROAE, ROCK, MALONEY, ELLIS,  
MUSTIO, REESE, BENNINGHOFF, EMRICK, METZGAR, JAMES,  
EVANKOVICH, PAYNE, SWANGER, READSHAW, RAPP, DENLINGER,  
OBERLANDER, S. H. SMITH, DUNBAR, SAYLOR, MARSHALL, REED,  
SCAVELLO, MCGINNIS AND LUCAS, JANUARY 25, 2013

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REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 25, 2013

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AN ACT

1 Providing that any Federal law which attempts to register,  
2 restrict or ban a firearm or to limit the size of a magazine  
3 of a firearm in this Commonwealth shall be unenforceable in  
4 this Commonwealth; and imposing penalties.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Right to Bear  
9 Arms Protection Act.

10 Section 2. Definitions.

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

14 "Firearm accessory." An item that is used in conjunction  
15 with or mounted on a firearm but is not essential to the basic

1 function of a firearm.

2 Section 3. Federal law relating to firearms, accessories and  
3 ammunition.

4 (a) Enforceability.--A Federal law, rule, regulation or  
5 order created or taking effect after December 31, 2012, shall be  
6 unenforceable within the borders of this Commonwealth if the  
7 law, rule, regulation or order attempts to register, restrict or  
8 ban the ownership or purchase of a firearm, magazine of a  
9 firearm, firearm accessory or ammunition.

10 (b) Federal agent.--An official, agent or employee of the  
11 Federal Government, Commonwealth or political subdivision who  
12 enforces or attempts to enforce a Federal law under subsection  
13 (a) commits a felony of the third degree and, upon conviction,  
14 shall be subject to imprisonment for not less than one year or  
15 more than seven years, a fine of not more than \$15,000, or both.  
16 The Attorney General shall prosecute violations of this section.

17 Section 4. Duty of Attorney General.

18 The Attorney General shall defend a resident of this  
19 Commonwealth who is prosecuted by the Federal Government for a  
20 violation of Federal law under section 3(a) that attempts to  
21 register, restrict or ban the ownership or purchase of a  
22 firearm, magazine of a firearm, firearm accessory or ammunition  
23 that is retained in this Commonwealth.

24 Section 20. Effective date.

25 This act shall take effect in 60 days.