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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 505 Session of  
2015

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INTRODUCED BY GABLER, BAKER, BLOOM, CAUSER, CUTLER, EVERETT,  
GROVE, A. HARRIS, KAUFFMAN, M. K. KELLER, KORTZ, METCALFE,  
METZGAR, MILLARD, MOUL, PEIFER, PICKETT, READSHAW, SACCONI,  
SANKEY, SAYLOR AND TALLMAN, FEBRUARY 17, 2015

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REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 17, 2015

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AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
2 Consolidated Statutes, in firearms and other dangerous  
3 articles, further providing for duties of Pennsylvania State  
4 Police.

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

7 Section 1. Section 6111.1(b)(2) of Title 18 of the  
8 Pennsylvania Consolidated Statutes is amended and the subsection  
9 is amended by adding paragraphs to read:

10 § 6111.1. Pennsylvania State Police.

11 \* \* \*

12 (b) Duty of Pennsylvania State Police.--

13 \* \* \*

14 (2) In the event of electronic failure, scheduled  
15 computer downtime or similar event beyond the control of the  
16 Pennsylvania State Police, the Pennsylvania State Police  
17 shall immediately notify the requesting licensee of the  
18 reason for and estimated length of the delay. [If the failure

1 or event lasts for a period exceeding 48 hours, the dealer  
2 shall not be subject to any penalty for completing a  
3 transaction absent the completion of an instantaneous records  
4 check for the remainder of the failure or similar event, but  
5 the dealer shall obtain a completed application/record of  
6 sale following the provisions of section 6111(b)(1) and (1.1)  
7 (relating to sale or transfer of firearms) as if an  
8 instantaneous records check has not been established for any  
9 sale or transfer of a firearm for the purpose of a subsequent  
10 background check.] The Pennsylvania State Police shall  
11 immediately post on their Internet website the cause of the  
12 failure or similar event and an approximate time frame for  
13 restoration of the instantaneous records check system.

14 (2.1) A licensee may complete a transaction absent the  
15 completion of an instantaneous records check if there is a  
16 failure or similar event and either of the following applies:

17 (i) The purchaser presents a valid Pennsylvania  
18 license to carry a firearm.

19 (ii) The failure or similar event lasts for a period  
20 exceeding 48 hours.

21 (2.2) A licensee shall, for any transaction under  
22 paragraph (2.1) during a failure or similar event, obtain a  
23 completed application/record of sale following section  
24 6111(b)(1) and (1.1) (relating to sale or transfer of  
25 firearms) as if an instantaneous records check has not been  
26 established for any sale or transfer of a firearm for the  
27 purpose of a subsequent background check.

28 \* \* \*

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