

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1497 Session of 2015

INTRODUCED BY STEPHENS, BARRAR, REGAN, HEFFLEY, HARHART, MARSICO, TAYLOR, MURT, DeLUCA, D. COSTA, MOUL, WATSON AND MILNE, AUGUST 13, 2015

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 7, 2016

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 persons not to possess, use,
4 manufacture, control, sell or transfer firearms.

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

7 Section 1. Section 6105(c)(8) of Title 18 of the
8 Pennsylvania Consolidated Statutes is amended and subsection
9 (a.1) is amended by adding paragraphs to read:

10 § 6105. Persons not to possess, use, manufacture, control, sell
11 or transfer firearms.

12 * * *

13 (a.1) Penalty.--

14 * * *

15 (6) A person who is prohibited from possessing, using,
16 controlling, selling, transferring or manufacturing a firearm
17 under subsection (c)(7) and who violates subsection (a)
18 commits a felony of the second degree.

1 (7) A person who is prohibited from possessing, using,
2 controlling, selling, transferring or manufacturing a firearm
3 under subsection (c) (8) and who violates subsection (a)
4 commits a felony of the second degree.

5 * * *

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

10 * * *

11 ~~(8) A person who was adjudicated delinquent by a court <--~~
12 ~~pursuant to 42 Pa.C.S. § 6341 or under any equivalent Federal~~
13 ~~statute or statute of any other state as a result of conduct~~
14 ~~which if committed by an adult would constitute an offense~~
15 ~~enumerated in subsection (b) with the exception of those~~
16 ~~crimes set forth in paragraph (7). This prohibition shall~~
17 ~~terminate 15 years after the last applicable delinquent~~
18 ~~adjudication or upon the person reaching the age of 30,~~
19 ~~whichever is earlier[.] or a felony under the act of April~~
20 ~~14, 1972 (P.L.233, No.64), known as The Controlled Substance,~~
21 ~~Drug, Device and Cosmetic Act, or any equivalent Federal~~
22 ~~statute or equivalent statute of any other state.~~

23 [(8) A PERSON WHO WAS ADJUDICATED DELINQUENT BY A COURT <--
24 PURSUANT TO 42 PA.C.S. § 6341 OR UNDER ANY EQUIVALENT FEDERAL
25 STATUTE OR STATUTE OF ANY OTHER STATE AS A RESULT OF CONDUCT
26 WHICH IF COMMITTED BY AN ADULT WOULD CONSTITUTE AN OFFENSE
27 ENUMERATED IN SUBSECTION (B) WITH THE EXCEPTION OF THOSE
28 CRIMES SET FORTH IN PARAGRAPH (7). THIS PROHIBITION SHALL
29 TERMINATE 15 YEARS AFTER THE LAST APPLICABLE DELINQUENT
30 ADJUDICATION OR UPON THE PERSON REACHING THE AGE OF 30,

1 WHICHEVER IS EARLIER.]

2 (8) (I) A PERSON WHO WAS ADJUDICATED DELINQUENT BY A
3 COURT UNDER 42 PA.C.S. § 6341 AS A RESULT OF CONDUCT
4 WHICH IF COMMITTED BY AN ADULT WOULD CONSTITUTE:

5 (A) AN OFFENSE ENUMERATED UNDER SUBSECTION (B)
6 EXCEPT FOR CRIMES UNDER PARAGRAPH (7);

7 (B) A FELONY UNDER THE CONTROLLED SUBSTANCE,
8 DRUG, DEVICE AND COSMETIC ACT; OR

9 (C) AN OFFENSE UNDER ANY EQUIVALENT FEDERAL
10 STATUTE OR STATUTE OF ANY OTHER STATE.

11 (II) THIS PROHIBITION SHALL TERMINATE 15 YEARS AFTER
12 THE LAST APPLICABLE DELINQUENT ADJUDICATION OR UPON THE
13 PERSON REACHING 30 YEARS OF AGE, WHICHEVER IS EARLIER.

14 * * *

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