

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1962 Session of
2015

INTRODUCED BY ACOSTA, DEAN, THOMAS, FRANKEL, V. BROWN,
SANTARSIERO, SCHLOSSBERG, M. DALEY, O'BRIEN, KINSEY, COHEN,
KIM, YOUNGBLOOD, BRIGGS, SIMS AND MAHONEY, APRIL 7, 2016

REFERRED TO COMMITTEE ON JUDICIARY, APRIL 7, 2016

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in firearms and other dangerous
3 articles, providing for safe storage of firearms; and
4 prescribing penalties.

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 § 6143. Safe storage of firearms.

10 (a) Storage requirements.--A person who owns a firearm and
11 resides with another person who cannot legally possess a firearm
12 shall:

13 (1) maintain the firearm in a securely locked box or
14 container; or

15 (2) secure the firearm with a trigger, chamber or cable
16 lock;

17 except when the person carries the firearm on his body or within
18 such close proximity to his body that the person reasonably

1 believes the other person is unable to take possession of the
2 firearm unlawfully.

3 (b) Penalties.--A person who violates subsection (a)
4 commits:

5 (1) A summary offense, if the person who cannot legally
6 possess a firearm takes possession of the firearm.

7 (2) A misdemeanor of the third degree, if the person who
8 cannot legally possess a firearm takes possession of the
9 firearm and the firearm is loaded.

10 (3) A felony of the third degree, if a person who cannot
11 legally possess a firearm takes possession of the firearm,
12 the firearm is loaded and the firearm is used to inflict
13 injury or death upon any other person.

14 (c) Defenses.--It shall be a defense to a prosecution under
15 this section if any of the following apply:

16 (1) The firearm was stored or left in a securely locked
17 box or container, in a location a reasonable person would
18 have believed to be secure or was securely locked with a
19 trigger lock.

20 (2) The firearm is obtained as a result of an unlawful
21 entry by any other person.

22 (3) For a violation of subsection (b)(3), the injury
23 results from a target or sport shooting accident or hunting
24 accident.

25 (4) Possession of the firearm is incidental to the
26 performance of the official duties of the United States Armed
27 Forces, the Pennsylvania National Guard or the personnel of
28 any Federal, State or local law enforcement agency.

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