
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 357 Session of
2015

INTRODUCED BY METCALFE, MUSTIO, METZGAR, SONNEY, A. HARRIS,
BLOOM, KAUFFMAN, BAKER, GROVE, CUTLER, SANKEY, SACCONI,
TALLMAN, DIAMOND, DUSH, OBERLANDER, MCGINNIS, GABLER,
LAWRENCE, DUNBAR, MALONEY, KNOWLES, ELLIS, EVERETT,
ZIMMERMAN, MOUL, PHILLIPS-HILL, ROAE, RAPP, MULLERY, GREINER,
HEFFLEY, WARD, EMRICK, GINGRICH, IRVIN, KLUNK, ORTITAY,
B. MILLER, JOZWIAK, FARRY, MARSHALL, GILLEN, FARINA,
PETRARCA, VEREB, STAATS, SCHEMEL, CAUSER, BOBACK, QUIGLEY,
WARNER, SAYLOR, MAJOR, HELM, MILLARD, RADER, PYLE, PEIFER,
PAYNE, JAMES, FEE, COX, EVANKOVICH, REESE, KRIEGER,
F. KELLER, CHRISTIANA, DAY, BARRAR, PICKETT, BENNINGHOFF,
SCHLEGEL CULVER AND HARHART, MAY 11, 2015

REFERRED TO COMMITTEE ON JUDICIARY, MAY 11, 2015

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

1 with or mounted on a firearm but is not essential to the basic
2 function of a firearm.

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

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

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

17 (c) Enforcement.--The Attorney General shall prosecute
18 violations of this section.

19 Section 4. Duty of Attorney General.

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

26 Section 5. Effective date.

27 This act shall take effect in 60 days.