
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 498 Session of
2017

INTRODUCED BY EICHELBERGER, BROOKS, VOGEL, RESCHENTHALER,
VULAKOVICH, SCAVELLO, WARD, STEFANO, WAGNER, SCARNATI,
GORDNER, HUTCHINSON, LANGERHOLC, FOLMER AND WHITE,
MARCH 10, 2017

REFERRED TO JUDICIARY, MARCH 10, 2017

AN ACT

1 Protecting from infringement the individual right of the
2 citizens of the Commonwealth of Pennsylvania to bear arms as
3 provided in section 21 of Article I of the Constitution of
4 Pennsylvania.

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 Act.

10 Section 2. Findings.

11 The General Assembly finds and declares that:

12 (1) The Constitution of Pennsylvania, and its protection
13 of the right to bear arms, predate the Constitution of the
14 United States.

15 (2) It is an established canon of judicial construction
16 that a state constitution may not offer less protection of
17 individual rights than the Constitution of the United States,
18 but it can afford more protections.

1 (3) Section 21 of Article I of the Constitution of
2 Pennsylvania provides: "The right of the citizens to bear
3 arms in defense of themselves and the State shall not be
4 questioned."

5 (4) Pennsylvania's constitutional protection of an
6 individual's right to bear arms is clear and unequivocal.
7 Section 3. Use of State resources to enforce Federal laws
8 relating to firearms, firearm components or
9 ammunition.

10 (a) General rule.--Neither the Commonwealth, nor any of its
11 political subdivisions, shall allow the use of any resources or
12 public funds to enforce any Federal law, executive order or
13 regulation that is enacted or promulgated after the effective
14 date of this section and attempts to register, restrict or ban
15 the ownership or purchase, whether by number or type, of a
16 firearm, component of a firearm or ammunition.

17 (b) Definition.--As used in this section, the term
18 "resources" shall mean and include judicial buildings,
19 correctional facilities, personnel and equipment.

20 Section 4. Effective date.

21 This act shall take effect immediately.