

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 338 Session of 2023

INTRODUCED BY SANCHEZ, KENYATTA, MADDEN, SCHLOSSBERG, DELLOSO, HANBIDGE, BENHAM, BOYLE, RABB, HOWARD, D. WILLIAMS, CIRESI, CERRATO, VITALI, McNEILL, KINSEY, FIEDLER, HOHENSTEIN, KRAJEWSKI, SAMUELSON, BURGOS, PARKER, FLEMING, DEASY, STURLA, FREEMAN, KINKEAD, OTTEN, FRANKEL, SHUSTERMAN, SAPPEY, VENKAT, BOROWSKI, CEPEDA-FREYTIZ, ISAACSON, N. NELSON, KIM, MALAGARI, SALISBURY, KHAN, PIELLI, GALLOWAY, MADSEN, FRIEL, WAXMAN, PASHINSKI, O'MARA AND KRUEGER, MARCH 13, 2023

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 1, 2023

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in firearms and other dangerous
3 articles, providing for report of theft or loss of firearm;
4 and imposing 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 § 6115.1. Report of theft or loss of firearm.

10 (a) Duty to report.--An owner or other person lawfully in
11 possession of a firearm who suffers the loss or theft of a
12 firearm shall, within 72 hours of the discovery of the loss or
13 theft, report the facts and circumstances of the loss or theft
14 to the municipal police of the jurisdiction in which the loss or
15 theft is believed to have occurred or the Pennsylvania State

1 Police. The person making the report shall provide all known  
2 information about the firearm, including the following:

3 (1) Name and address of the owner.

4 (2) All known facts and circumstances pertaining to the  
5 loss or theft.

6 (3) Name of the manufacturer and importer.

7 (4) Model.

8 (5) Type of action.

9 (6) Caliber or gauge.

10 (7) Serial number.

11 (8) Any other information deemed necessary by the  
12 officer or police department receiving the report.

13 ~~(b) Sharing of information. A law enforcement agency that~~ <--  
14 ~~receives a report under this section shall, within 24 hours of~~  
15 ~~receiving the report, forward notice of the loss or theft as~~  
16 ~~well as all information obtained under subsection (a) to the~~  
17 ~~Pennsylvania State Police.~~

18 ~~(c) Pennsylvania State Police. The Pennsylvania State~~  
19 ~~Police shall receive, collect and file the information under~~  
20 ~~subsection (a). The Pennsylvania State Police shall cooperate~~  
21 ~~and undertake to furnish or make the information available to~~  
22 ~~all law enforcement agencies in this Commonwealth for the~~  
23 ~~purpose of coordinating law enforcement efforts to locate the~~  
24 ~~firearm.~~

25 (B) SHARING OF INFORMATION.--INFORMATION PROVIDED TO A LAW <--  
26 ENFORCEMENT AGENCY UNDER SUBSECTION (A) SHALL BE ENTERED INTO  
27 THE COMMONWEALTH LAW ENFORCEMENT ASSISTANCE NETWORK AND NATIONAL  
28 CRIME INFORMATION CENTER DATABASE BY THE RECEIVING LAW  
29 ENFORCEMENT AGENCY WITHIN 24 HOURS OF RECEIVING THE REPORT OF A  
30 LOST OR STOLEN FIREARM.

1 ~~(d)~~ (C) Return of firearm.--A lost or stolen firearm <--  
2 recovered by the Pennsylvania State Police or a local law  
3 enforcement agency shall be returned to the lawful owner,  
4 subject to the provisions of section 6111.1(b)(4) (relating to  
5 Pennsylvania State Police).

6 ~~(e)~~ (D) Penalty.--Notwithstanding any other provision of <--  
7 law, a person who violates subsection (a) commits:

8 (1) A summary offense for the first offense, punishable  
9 by a fine of not more than \$500.

10 (2) A misdemeanor of the second degree for a second  
11 offense.

12 (3) A misdemeanor of the first degree for a third or  
13 subsequent offense.

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