

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1157 Session of 2023

INTRODUCED BY SCOTT, PROBST, GUENST, GIRAL, KINKEAD, SANCHEZ, HILL-EVANS, PARKER, MADDEN, HADDOCK, FRANKEL, FLEMING, OTTEN, CERRATO, GREEN, KHAN, A. BROWN AND ABNEY, MAY 18, 2023

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF REPRESENTATIVES, AS AMENDED, FEBRUARY 6, 2024

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 LICENSES AND FOR Pennsylvania <--
4 State Police.

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

7 Section 1. Section 6111.1(f)(2) of Title 18 of the <--
8 Pennsylvania Consolidated Statutes is amended to read:

9 SECTION 1. SECTION 6109(I.1)(2) OF TITLE 18 OF THE <--
10 PENNSYLVANIA CONSOLIDATED STATUTES IS AMENDED TO READ:

11 § 6109. LICENSES.

12 * * *

13 (I.1) NOTICE TO SHERIFF.--NOTWITHSTANDING ANY STATUTE TO THE
14 CONTRARY:

15 * * *

16 (2) UPON ADJUDICATION THAT A PERSON IS INCOMPETENT OR
17 UPON THE INVOLUNTARY COMMITMENT OF A PERSON TO A MENTAL
18 INSTITUTION FOR INPATIENT CARE AND TREATMENT UNDER THE ACT OF

1 JULY 9, 1976 (P.L.817, NO.143), KNOWN AS THE MENTAL HEALTH
2 PROCEDURES ACT, OR UPON INVOLUNTARY TREATMENT OF A PERSON AS
3 DESCRIBED UNDER SECTION 6105(C)(4), THE JUDGE OF THE COURT OF
4 COMMON PLEAS, MENTAL HEALTH REVIEW OFFICER OR COUNTY MENTAL
5 HEALTH AND MENTAL RETARDATION ADMINISTRATOR SHALL NOTIFY THE
6 SHERIFF OF THE COUNTY IN WHICH THAT PERSON RESIDES, ON A FORM
7 DEVELOPED BY THE PENNSYLVANIA STATE POLICE, OF THE IDENTITY
8 OF THE PERSON WHO HAS BEEN ADJUDICATED, COMMITTED OR TREATED
9 AND THE NATURE OF THE ADJUDICATION, COMMITMENT OR TREATMENT.
10 THE NOTIFICATION SHALL BE TRANSMITTED BY THE JUDGE, MENTAL
11 HEALTH REVIEW OFFICER OR COUNTY MENTAL HEALTH AND MENTAL
12 RETARDATION ADMINISTRATOR WITHIN [~~SEVEN~~] FOUR DAYS OF THE
13 ADJUDICATION, COMMITMENT OR TREATMENT.

14 * * *

15 SECTION 2. SECTION 6111.1(F)(1) AND (2) OF TITLE 18 ARE
16 AMENDED AND THE SUBSECTION IS AMENDED BY ADDING A PARAGRAPH TO
17 READ:

18 § 6111.1. Pennsylvania State Police.

19 * * *

20 (f) Notification of mental health adjudication, treatment,
21 commitment, drug use or addiction.--

22 * * *

23 (1) NOTWITHSTANDING ANY STATUTE TO THE CONTRARY, JUDGES
24 OF THE COURTS OF COMMON PLEAS SHALL NOTIFY THE PENNSYLVANIA
25 STATE POLICE IN WRITING OR ELECTRONICALLY, ON A FORM
26 DEVELOPED BY THE PENNSYLVANIA STATE POLICE, OF:

27 (I) THE IDENTITY OF ANY INDIVIDUAL WHO HAS BEEN
28 ADJUDICATED AS AN INCOMPETENT OR AS A MENTAL DEFECTIVE OR
29 WHO HAS BEEN INVOLUNTARILY COMMITTED TO A MENTAL
30 INSTITUTION UNDER THE ACT OF JULY 9, 1976 (P.L.817,

1 NO.143), KNOWN AS THE MENTAL HEALTH PROCEDURES ACT, OR
2 WHO HAS BEEN INVOLUNTARILY TREATED AS DESCRIBED IN
3 SECTION 6105(C) (4) (RELATING TO PERSONS NOT TO POSSESS,
4 USE, MANUFACTURE, CONTROL, SELL OR TRANSFER FIREARMS) OR
5 AS DESCRIBED IN 18 U.S.C. § 922(G) (4) (RELATING TO
6 UNLAWFUL ACTS) AND ITS IMPLEMENTING FEDERAL REGULATIONS;
7 AND

8 (II) ANY FINDING OF FACT OR COURT ORDER RELATED TO
9 ANY PERSON DESCRIBED IN 18 U.S.C. § 922(G) (3).

10 (1.1) THE PENNSYLVANIA STATE POLICE SHALL DEVELOP AND
11 IMPLEMENT, WITHIN 10 MONTHS OF THE EFFECTIVE DATE OF THIS
12 PARAGRAPH, AN ELECTRONIC VERSION OF THE FORM DESCRIBED UNDER
13 PARAGRAPH (1).

14 (2) The notification shall be transmitted by the judge
15 to the Pennsylvania State Police [~~within seven days of~~]
16 ~~between 72 and 96 hours after~~ WITHIN FOUR DAYS OF the <--
17 adjudication, commitment or treatment.

18 * * *

19 ~~Section 2. This act shall take effect in 60 days.~~ <--

20 SECTION 3. SO MUCH OF SECTION 108(D) OF THE ACT OF JULY 9, <--
21 1976 (P.L.817, NO.143), KNOWN AS THE MENTAL HEALTH PROCEDURES
22 ACT, AS RELATES TO THE TIME PERIOD FOR TRANSMISSION OF
23 NOTIFICATION IS REPEALED TO THE EXTENT OF ANY INCONSISTENCY WITH
24 THIS ACT.

25 SECTION 4. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.