
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2077 Session of
2024

INTRODUCED BY BRENNAN, DALEY, VENKAT, SCHLOSSBERG, KINKEAD,
HOHENSTEIN, SANCHEZ, KINSEY, BOROWSKI, SHUSTERMAN, SAMUELSON,
KHAN AND BELLMON, MARCH 5, 2024

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 5, 2024

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in inchoate crimes, prohibiting the
3 possession of firearm at polling place.

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

6 Section 1. Title 18 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 914. Possession of firearm at polling place.

9 (a) Offense defined.--Except as provided under subsections

10 (c) and (d) (2), a person commits an offense if the person:

11 (1) knowingly possesses a firearm in any building, real
12 property or parking area of a polling place holding an
13 election;

14 (2) knowingly possesses a firearm in any building, real
15 property or parking area of a polling place holding an
16 election with the intent of using the firearm in the
17 commission of a crime; or

18 (3) knowingly causes a firearm to be used in the

1 commission of a crime in any building, real property or
2 parking area of a polling place holding an election.

3 (b) Grading.--

4 (1) An offense committed under subsection (a)(1) shall
5 constitute a misdemeanor of the third degree.

6 (2) An offense committed under subsection (a)(2) or (3)
7 shall constitute a misdemeanor of the first degree.

8 (c) Exceptions.--Subsection (a) shall not apply to the
9 following:

10 (1) The lawful performance of official duties by an
11 officer, agent or employee of the Federal Government, the
12 Commonwealth or a political subdivision of the Commonwealth
13 who is authorized to engage in or supervise the prevention,
14 detection, investigation or prosecution of any violation of
15 law.

16 (2) The lawful performance of official duties by a law
17 enforcement officer.

18 (3) The concealment of a firearm inside a vehicle by a
19 person who:

20 (i) possesses a valid and lawfully issued license to
21 carry a firearm; and

22 (ii) owns the firearm.

23 (4) The concealment of a firearm by a member of the
24 Army, Navy, Marine Corps, Air Force or Coast Guard of the
25 United States or the National Guard or organized reserves
26 when on duty.

27 (d) Posting of notice.--

28 (1) Notice of the provisions of subsections (a), (b) and
29 (c) shall be posted conspicuously at each public entrance of
30 a building where a polling place is located during an

1 election.

2 (2) A person shall not be convicted of an offense under
3 subsection (a) (1) or (2) if the polling place fails to meet
4 the notice requirements under paragraph (1).

5 (e) Definitions.--As used in this section, the following
6 words and phrases shall have the meanings given to them in this
7 subsection unless the context clearly indicates otherwise:

8 "Election." A general, municipal, special or primary
9 election as authorized under the act of June 3, 1937 (P.L.1333,
10 No.320), known as the Pennsylvania Election Code.

11 "Firearm." Any weapon, including a starter gun, which will
12 or is designed to expel a projectile or projectiles by the
13 action of an explosion, expansion of gas or escape of gas. The
14 term does not include any device designed or used exclusively
15 for the firing of stud cartridges, explosive rivets or similar
16 industrial ammunition.

17 "Law enforcement officer." As the term "peace officer" is
18 defined in section 501 (relating to definitions).

19 "Polling place." The room provided in each election district
20 for voting during an election.

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