
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 519 Session of
2013

INTRODUCED BY WATERS, BROWNLEE, O'BRIEN, DONATUCCI, BISHOP, K.
BOYLE, SCHLOSSBERG, THOMAS, FRANKEL, V. BROWN, COHEN,
ROEBUCK, KINSEY, BRIGGS, GAINNEY, KIRKLAND, SIMS, STURLA AND
SANTARSIERO, FEBRUARY 5, 2013

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 5, 2013

AN ACT

1 Providing for child firearm safety lock mechanisms; and
2 prescribing penalties.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Child Firearm
7 Safety Lock Act.

8 Section 2. Purposes.

9 The purposes of this act are as follows:

10 (1) To promote the safe storage and use of handguns by
11 consumers.

12 (2) To prevent unauthorized persons from gaining access
13 to or use of a handgun, including children who may not be in
14 possession of a handgun.

15 (3) To avoid hindering industry from supplying law-
16 abiding citizens with firearms for all lawful purposes,
17 including hunting, self-defense, collecting and competitive

1 or recreational shooting.

2 Section 3. Definitions.

3 As used in this act, the following words and phrases shall
4 have the meanings given to them in this section:

5 "Licensee." A licensed manufacturer, importer or dealer of
6 firearms.

7 "Locking device." Includes the following:

8 (1) A device that, if installed on a firearm and secured
9 by means of a key or a mechanically, electronically or
10 electromechanically operated combination lock, prevents the
11 firearm from being discharged without first deactivating or
12 removing the device.

13 (2) A locking mechanism incorporated into the design of
14 a firearm that prevents discharge of the firearm by a person
15 who does not have access to the key or other device designed
16 to unlock the mechanism.

17 Section 4. Locking device for firearms.

18 It shall be unlawful for a licensee to sell, deliver or
19 transfer a firearm to a person other than another licensee
20 unless the transferee is provided with or purchases a locking
21 device for that firearm.

22 Section 5. Exceptions.

23 The following firearms are not subject to the provisions of
24 this act:

25 (1) Firearms for transfer to or possession by a law
26 enforcement officer employed by any Federal, State or local
27 government entity or rail police employed and certified by a
28 rail carrier as a police officer whether on or off duty.

29 (2) Firearms for transfer to a person if the firearm
30 qualifies as an antique firearm under 18 Pa.C.S. § 6118

1 (relating to antique firearms).

2 (3) Firearms for transfer to a person for which a safety
3 device is temporarily unavailable, provided that the licensed
4 manufacturer, licensed importer or licensed dealer delivers
5 to the transferee within 14 calendar days of the original
6 date of the delivery of the firearm a safety device for the
7 firearm.

8 Section 6. Penalties.

9 Failure to comply with the provisions of this act shall
10 result in:

11 (1) Suspension or revocation of any license issued to a
12 licensee.

13 (2) A civil penalty for any licensee of not more than
14 \$10,000.

15 Section 7. Civil immunity.

16 A person who has lawful possession and control of a firearm
17 and who uses a safety device with the firearm shall be entitled
18 to immunity from civil liability for damages resulting from the
19 criminal or unlawful misuse of the firearm by a third party if:

20 (1) the firearm was accessed by another person who did
21 not have the permission or authorization of the person having
22 lawful possession and control of the firearm to have access
23 to it; and

24 (2) at the time access was gained by the person not so
25 authorized, the firearm had been made inoperable by use of a
26 safety device.

27 Section 8. Effective date.

28 This act shall take effect in 60 days.