

FIREARMS PREEMPTION LEGISLATION

Following is a more detailed overview of the progress of the Commonwealth's preemption legislation as presented at the Club's April membership meeting.

On March 2 of this year, the PA Senate introduced Senate Bill 5. Pennsylvania Preemption Statute Regarding Firearms and Ammunition. Simultaneously, the PA House introduced House Bill 671. Preemption Bill (Former HB2258). Both bills sought to strengthen Pennsylvania's current preemption laws to ensure that firearm and ammunition laws are consistent throughout the Commonwealth.

On that same day, the National Rifle Association-Institute for Legislative Action (NRA-ILA) issued a news release to inform members of the action under the headline ***Pennsylvania: Important Firearms Preemption Legislation Introduced In the General Assembly.*** The release further logically explained what the NRA saw as the reasoning behind the legislation by noting "State firearms preemption was enacted by the Pennsylvania Legislature over three decades ago to avoid the possibility of a complex patchwork of regulations across the state which make it difficult for responsible firearm owners to ensure they are following the law. However, in recent years many local governments have enacted gun control ordinances in violation of this current law."

"Citizens with no criminal intent should not be placed in jeopardy of running afoul of local restrictions they don't even know exist simply because they have crossed from one municipality to another. Gun owners continue to be unduly burdened by local ordinances which violate the current state firearm preemption law. [The] legislation would correct this problem by ensuring laws regarding firearms and ammunition are uniform across the state."

Both bills would expand who has standing to sue to include anyone eligible to own guns and membership organizations such as the NRA.

Detractors of the bills seized on this aspect of the proposed legislation as the basis for their opposition, e.g., *The gun lobby should not be able to sue cities that have taken action on gun violence prevention, or, the NRA could intimidate and bully municipalities into compliance without even putting a foot in the state.*

Well, isn't that the point?!

With the continued support of the NRA, the bills moved quickly through a usually slow PA legislature. On April 25, SB5 passed the Senate and moved to the House [***Pennsylvania Senate Again Takes Aim at Local Firearm Laws*** (NRA-ILA)], and on April 26, HB671 passed the House [***House OKs Bill to Aid Challenges to Local Gun Ordinances*** (NRA-ILA)] on its way to the Senate.

It's unclear what will happen now that Republican majorities in both chambers have passed two bills with the same objective. The Senate and the House will reconvene May 8 and action could happen quickly. So we still need to contact our local representative to ensure the support for the bills is alive and well in the two chambers. But one thing is sure. With the leadership of the NRA and the backing of organizations like the PA Federation of Sportsmen Clubs, some form of preemption legislation will find its way to the Governor's desk.

Following is a time line of the legislative progress shown on the PA Legislature web site.

Senate Bill 5 Pennsylvania Preemption Statute Regarding Firearms and Ammunition

History

- Referred to LOCAL GOVERNMENT, March 2, 2017
- Reported as committed, March 28, 2017
- First consideration, March 28, 2017
- Second consideration, April 24, 2017
- Amended on third consideration, and passed April 25, 2017 (50-0)

In the House

- Referred to JUDICIARY, [April 26, 2017](#)

House Bill 671 Preemption Bill (Former HB2258)

History

- Referred to JUDICIARY, March 2, 2017
- Reported as committed, April 19, 2017
- First consideration, April 19, 2017
- Laid on the table, April 19, 2017
- Removed from table, April 19, 2017
- Second consideration, April 25, 2017
- Re-committed to APPROPRIATIONS, April 25, 2017
- (Remarks see House Journal Page), April 25, 2017
- Re-reported as committed, April 26, 2017
- Third consideration and final passage, [April 26, 2017](#) (134-53)