

LEGISLATIVE UPDATE FEBRUARY 2021 as of February 27

AT THE NATIONAL LEVEL

We'll start this update with a look at one of the most outrageous pieces of gun-control legislation ever introduced at the national level...for a second time, no less. Representative Sheila Jackson-Lee (D-TX) introduced **HR127**, the Sabika Sheikh Firearm Licensing and Registration Act. (The Act is named for a 17-year-old Pakistani foreign exchange student who was killed during a 2018 school shooting in Sante Fe, Texas, in which nine others also died.)

The text of **HR127** calls for the registration of all privately-owned firearms and the creation of a database where registration information can be stored. The bill also calls for the registration of ammunition. The process for obtaining the license to own a firearm includes a criminal background check, a psychological evaluation, and the passing of a training course.

A second, completely separate license would be required to own an AR-15, AK-47, or other firearm designated as "military-style weapons" in the Act. **HR127** would also require that gun license applicants pay \$800 to the Attorney General to cover liability insurance for owning a firearm.

This same Act was introduced by Jackson-Lee on July 26, 2019, in a previous session of Congress (the 116th), as HR4081. It did not receive a vote and died in committee. As of this week, the current version, **HR127**, has not gained any co-sponsors. **Just because this pie-in-the sky bill was introduced for Jackson-Lee to impress her Houston constituents, we should not become complacent. These are different times.**

AT THE PA STATE LEVEL

First, congratulations to Washington County Representative Tim O'Neal on the passage of his HB326 which requires the Pennsylvania National Guard to assist in both the distribution and administration of the COVID-19

vaccine in all 67 counties in the Commonwealth. The bill was signed in the House and Senate and put on the Governor's desk February 26.

Next we look at a positive proposal that deserves your attention.

SB. Proposed, Not introduced. *The Right to Bear Arms Act.* Originating with Senator Doug Mastriano (R-33) and Senator Cris Dush (R-25), this critical piece of legislation would forbid state and local government officials from enforcing any new, unconstitutional federal gun control laws. The Senators are asking for co-sponsors before introducing the proposal. Our local Senators, Camera Bartolotta and Devlin Robinson, have told us they are supporting the bill.

Additionally, this month has seen a flood of firearm legislation introduced, ranging from required NRA training classes to background checks to banning 3-D printed firearms. Following are some of those bills.

SB217. *Lost and stolen gun reporting.* Would require lost or stolen firearms be reported to local law enforcement authorities within 24 hours. Tartaglione. (D). Philadelphia County. Referred to Judiciary February 11.

SB219. *Strict Liability on Firearms.* Would impose strict civil and criminal liability on any person, licensed importer, licensed dealer or licensed manufacturer who knowingly and intentionally sells, delivers or transfers a firearm in violation of the UFA if that gun is subsequently used in a crime or attempted crime.

Hughes. (D). Montgomery and Philadelphia Counties. Referred to Judiciary February 11.

SB226. *Requiring a Firearms Safety or Training Course.* Would require an individual to complete a firearms safety or training course as a condition of being issued a Concealed Carry Permit.

Hughes. (D). Montgomery and Philadelphia Counties. Referred to Judiciary February 11.

SB238. *Pennsylvania Center for Gun Violence Research.* Would create a Pennsylvania Center for Gun Violence Research.

Hughes. (D). Montgomery and Philadelphia Counties. Referred to State Government February 14.

SB239. *Prohibiting Weapons in Public Parks.* Would prohibit firearms or other dangerous weapons in public recreation areas.

Hughes. (D). Montgomery and Philadelphia Counties. Referred to Judiciary February 16.

HB357. *Right to Bear Arms Act.* Would prohibit the enforcement of any new federal restriction, prohibition, or registration requirement for firearms, magazines, and ammunition. Would also require the state to intercede on behalf of Pennsylvania citizens against any federal attempt to register, ban, or restrict the purchase or ownership of firearms and firearms accessories which are currently legal products.

Metcalf. (R). Butler County. Referred to Judiciary February 17.

HB361. *Local Regulation of Firearms.* Would allow political subdivisions to regulate the possession and transportation of firearms when carried or transported on public grounds, including but not limited to: buildings, parks, and conveyances or vehicles.

Isaacson. (D). Philadelphia County. Referred to Judiciary February 3.

HB364. *Destroying Confiscated or Recovered Firearms.* Would mandate that law enforcement agencies of the Commonwealth make reasonable efforts to identify and return all firearms to their rightful and lawful owners. If an owner cannot be identified within 120 days, the firearm would be required to be destroyed. Additionally, individuals who are prohibited by law from possessing a firearm may not have their firearm returned to them.

Isaacson. (D). Philadelphia County. Referred to Judiciary February 3.

HB393. *Background Checks for Ammunition Sales.* Would only allow licensed firearms dealers to sell ammunition and would allow businesses to use existing licenses to sell both firearms and ammunition. When a person wishes to purchase ammunition, the licensee would contact the

Pennsylvania Instant Check System (PICS), and the Pennsylvania State Police (PSP) would conduct a background investigation. If a person is prohibited by state law from possessing a firearm, they should also be prohibited from purchasing and possessing ammunition. As to not unduly burden responsible, law-abiding gun owners, a PSP ammunition purchase authorization can be obtained, which would allow an individual to purchase ammunition for four years without the need to get a background check for every ammunition purchase.

Sims. (D). Philadelphia County. Referred to Judiciary. February 3.

HB413. *Ending Illegal Firearm Trafficking in Pennsylvania.* Would place a limit on purchases of handguns in Pennsylvania, allowing one handgun per individual within any 30-day period - with exceptions.

Zabel. (D). Delaware County. Referred to Judiciary February 3.

HB414. *Prohibiting Undetectable Firearms.* Will ban the manufacturing, sale, and possession of undetectable firearms, including 3D-printed firearms.

Zabel. (D). Delaware County. Referred to Judiciary February 3.

HB451. *Requiring NRA Approved Training for Concealed Carry Permits.* Prior to being issued a license to carry a firearm concealed on or about one's person or in a vehicle, an applicant will be required to complete a minimum of six hours of a basic firearm training program with a certified firearms instructor approved by the National Rifle Association. DeLuca. (D). Allegheny County. Referred to Judiciary February 3.

HB490. *Reciprocal Agreements for Military and Disabled Veterans Hunting and Fishing Licenses.* Would provide for reciprocal agreements with other states allowing certain veteran and military fishing and hunting licenses or permits to be recognized as resident licenses in any state participating in such an agreement. Boback.(R). Luzerne, Lackawanna, Wyoming Counties. Referred to Game and Fisheries February 9.

HB528. *Prohibiting Weapons in Public Parks.* Would make it a crime to possess a firearm or other dangerous weapon in all parks, recreation centers, or pools owned or operated by a political subdivision.

Bollock. (D). Philadelphia County. Referred to Judiciary February 16.

HB670. *Protecting Pennsylvania's Wildlife.* Will give the PGC the ability to revoke or deny a license to anyone convicted of animal cruelty.

DeLuca. (D). Allegheny County. Referred to Game and Fisheries February 26.

HB690. *Concealed Carry Permit Information on Drivers Licenses and Photo Identification.* Aims to solve this issue by requiring drivers licenses and photo identification cards to specify whether an individual possesses a concealed carry permit.

Fitzgerald. (D). Philadelphia County. Referred to Judiciary February 26.

HB698. *Semi-Automatic Assault Rifle: 72 Hour Waiting Period.* Will establish a 72 hour waiting period for purchases of semi-automatic assault rifles. Fitzgerald. (D). Philadelphia County. Referred to Judiciary February 26.

HB699. *Firearm Safe Storage Requirements.* Will require that all firearms be safely stored whenever they are not in use to ensure that guns do not fall into the wrong hands. Fitzgerald. (D). Philadelphia County. Referred to Judiciary February 26.

HB702. *Gun Show Loophole.* Would require that all firearm sales, including long guns, be conducted in front of a licensed dealer or a sheriff. Familial transfers would still be excluded from the background check requirement, as in current law. Additionally, this legislation would add a provision to allow for a single background check that would remain valid for 48 hours for use at gun shows across the Commonwealth. G Parker. Philadelphia County. Introduced February 26 without referral.

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