
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1881 Session of
2013

INTRODUCED BY WATERS, O'BRIEN, V. BROWN, THOMAS, COHEN AND
BROWNLEE, DECEMBER 9, 2013

REFERRED TO COMMITTEE ON JUDICIARY, DECEMBER 9, 2013

AN ACT

1 Providing for child firearm safety lock mechanisms.

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

4 Section 1. Short title.

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

7 Section 2. Purposes.

8 The purposes of this act are as follows:

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

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

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

1 Section 3. Definitions.

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

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

6 "Locking device." Includes the following:

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

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

16 Section 4. Locking device for firearms.

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

21 Section 5. Exceptions.

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

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

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

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

7 Section 6. Penalties.

8 Failure to comply with the provisions of this act may result
9 in:

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

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

14 Section 7. Civil immunity.

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

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

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

26 Section 8. Effective date.

27 This act shall take effect in 60 days.