



## 2016 Important Pro-Gun Legislation-PA House

1. Eliminate the PICs System - [SB 725](#) & [HB 921](#)
2. Hunting with semi-auto Rifles - [SB 737](#) & [HB 366](#)
3. Modify the Transportation of Firearms Laws - [HB 718](#)
4. Constitutional Carry (known as two-tiered carry) - [HB 230](#)
5. Firearm Freedom Act (FFA) - [HB 510](#)
6. Right to Bear Arms Protection Act - [HB 357](#) & [SB 357](#)
7. Prohibition on Maintenance of Firearms Registry - [HB 783](#)

*Legislation Source: <http://www.legis.state.pa.us/>*

### Item #1 Analysis Below:

#### **Instant Check Change – Eliminate PICS & Move to NICS**

[SB 725](#) (Sen. Bartolotta) & [HB 921](#) (Rep. Turzai) would replace the Pennsylvania Instant Check System (PICS) with the National Instant Check System (NICS) saving over \$7 million annually (with tens of millions of more dollars saved by avoiding required additional computer upgrades that adds to the burden on taxpayers periodically) for the Commonwealth and millions more in fees for citizens as well as unburdening the legitimate firearms retailers from unnecessary complications in the firearms purchase process.

### Item #2 Analysis Below:

#### **Hunting with semi-auto rifles [HB 366](#) & [SB 737](#)**

[HB 366](#) (Rep. Saccone) & [SB 737](#) (Sen. Hutchinson) Hunters in 49 out of 50 states are allowed to use semi-auto rifles for hunting some species of game in their state. Only Pennsylvania prohibits the use of semi-auto rifles for any hunting.

### Item #3 Analysis Below:

#### **Transportation of Firearms Legislation – [HB 718](#)**

[HB 718](#) (Rep. Krieger) corrects flaws in current law regarding the transportation of unloaded firearms in Title 18 §6106(b).

Currently the lawful transportation of unloaded firearms is very restrictive and only compasses certain destinations without any stops for any reason, **no exceptions**. This legislation will remove inconsistencies in the law and also benefit travelers from other states who transport firearms through PA.

### Item #4 Analysis Below:

#### **Constitutional Carry of Firearms Legislation – [HB 230](#)**

[HB 230](#) (Rep. Saccone) **Constitutional Carry** is a situation within a jurisdiction in which the carrying of firearms, concealed or not, is generally not restricted by the law. When a state or other jurisdiction has adopted Constitutional Carry, it is legal for law-abiding citizens to carry a handgun, firearm, or other weapon concealed with or without an applicable permit or license.

The law decriminalizes the carry of handguns for self-defense purposes without a license, and puts the burden upon a prosecutor to prove criminal intent of a person carrying a handgun. Also, there are no limitations as to whether a legally carried handgun should be carried openly or concealed; thus it is considered Constitutional Carry.

#### **11 states currently have Constitutional carry:**

1. Vermont

2. Alaska 2003

3. Arizona 2010

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4. Wyoming 2011

7. Mississippi 2016

10. West Virginia 2016

5. Arkansas 2013

8. Maine 2015

11. Idaho 2016

6. Kansas 2015

9. Montana (City Permit only)

*(Vermont's Constitutional Carry has been in effect for over 3 decades-the state's violent crime rate was the lowest in 2014)*

### Item #5 Analysis Below:

#### **Firearm Freedom Act (FFA) – [HB 510](#)**

[HB 510](#) The PA Firearm Freedom Act is modeled after the "Montana Firearm Freedom Act"( HB 246) which was signed into law by the governor of Montana on April 15, 2009 and went into effect of Oct 1, 2009. The "Tennessee Firearm Freedom Act" was also passed into law in June 09, since then a total of 9 states have enacted Firearm Freedom Act.

### Item #6 Analysis Below:

#### **Right to Bear Arms Protection Act**

[HB 357](#) (Rep. Metcalfe) & [SB 357](#) (Sen. Eichelberger) which says any federal laws that violate the Second Amendment are unenforceable in PA

### Item #7 Analysis Below:

#### **Prohibition on Maintenance of Firearms Registry - [HB 783](#)**

##### [HB 783](#) - Prohibition on Maintenance of Firearms Registry

With enactment of Pennsylvania's Uniform Firearms Act in 1995, the Commonwealth instituted a requirement that purchasers of firearms submit to a background check. Integral to the passage of the Uniform Firearms Act was Section 6111.4, which expressly prohibited any government or law enforcement agency from maintaining or operating a "registry of firearm ownership". Despite the plain language of the Act, the Pennsylvania State Police have created and are maintaining a database of handgun owners from data obtained from such checks. Unfortunately, by way of some tortured logic, the Pennsylvania Supreme Court, in Allegheny County Sportsmen's League v. Rendell, held that this database was not a "registry of firearm ownership", despite having all the attributes of a registry.

**\*\*We respectfully ask you** to please help these courageous legislators fight to bring this legislation to the floor by asking your House member if he/she is a co-sponsor of this legislation and where their position is on voting for this legislation.

Please ask for their positions in writing and share with us their responses so we can add this information to their record on our Right to Bear Arms and our Constitutional Freedoms.

We can be reached by the methods below:

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**Firearm Owners Against Crime (FOAC)** is non-partisan, non-connected Political Action All-Volunteer Committee organized to empower all gun owners, outdoors enthusiasts and supporters of the 2nd Amendment to the Bill of Rights of the U.S. Constitution and Article 1 Section 21 and Section 25 of the PA Constitution with the tools and information necessary to protect this freedom from transgression. Candidates for office are evaluated every election cycle, approved, placed on an FOAC voter guide and distributed throughout the Commonwealth.