
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2077 Session of
2019

INTRODUCED BY FITZGERALD, YOUNGBLOOD, McCLINTON, DONATUCCI,
SOLOMON, ZABEL, MADDEN, OTTEN, SCHLOSSBERG, SHUSTERMAN,
FRANKEL, SANCHEZ, HOHENSTEIN, KINSEY, JOHNSON-HARRELL,
KENYATTA, FREEMAN, CIRESI, WARREN, BULLOCK AND SCHWEYER,
NOVEMBER 20, 2019

REFERRED TO COMMITTEE ON JUDICIARY, NOVEMBER 20, 2019

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in firearms and other dangerous
3 articles, providing for safe storage of firearm when not in
4 use.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 18 of the Pennsylvania Consolidated
8 Statutes is amended by adding a section to read:

9 § 6143. Safe storage of firearm when not in use.

10 (a) Storage requirements.--A person who owns a firearm shall
11 secure the firearm:

12 (1) with a device that, if installed on a firearm and
13 secured by means of a key or a mechanical, electronic or
14 electromechanical combination lock, prevents the firearm from
15 being discharged without first deactivating or removing the
16 device;

17 (2) with a locking mechanism incorporated into the

1 design of the firearm that prevents discharge of the firearm
2 by an individual who does not have access to the key or other
3 device designed to unlock the mechanism; or

4 (3) in a securely locked box or container or a location
5 that a reasonable person would believe to be secure.

6 (b) Exception.--Subsection (a) shall not apply if a person
7 carries a firearm:

8 (1) on the person's body; or

9 (2) within close enough proximity to the person's body
10 that the person is able to retrieve and use the firearm as if
11 the firearm was on the person's body.

12 (c) Penalties.--A person who violates subsection (a)
13 commits:

14 (1) A summary offense with no term of imprisonment when
15 the offense is a first offense.

16 (2) A misdemeanor of the third degree when the offense
17 is a second or subsequent offense.

18 (3) A felony of the third degree if:

19 (i) another person takes possession of the firearm;
20 and

21 (ii) the firearm is used in the commission of a
22 crime or used in an event that results in injury or death
23 of another person.

24 (d) Defenses.--It shall be a defense to prosecution under
25 this section if any of the following apply:

26 (1) The firearm was secured in a manner described under
27 subsection (a).

28 (2) The firearm was obtained as a result of an unlawful
29 entry by a person.

30 (3) An injury resulted from a target or sport shooting

1 accident or hunting accident.

2 (4) Possession of the firearm was incidental to the
3 performance of the official duties of the United States Armed
4 Forces, the Pennsylvania National Guard or the personnel of a
5 Federal, State or local law enforcement agency.

6 Section 2. This act shall take effect in 60 days.