
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 81 Session of
2017

INTRODUCED BY EICHELBERGER, BROOKS, VOGEL, RESCHENTHALER,
VULAKOVICH, SCAVELLO, WARD, STEFANO, WAGNER, SCARNATI,
GORDNER, HUTCHINSON, LANGERHOLC, FOLMER, WHITE AND AUMENT,
JANUARY 13, 2017

REFERRED TO JUDICIARY, JANUARY 13, 2017

AN ACT

1 Protecting from infringement the individual right of the
2 citizens of the Commonwealth of Pennsylvania to bear arms as
3 provided in section 21 of Article I of the Constitution of
4 Pennsylvania.

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

7 Section 1. Findings.

8 The General Assembly finds and declares that:

9 (1) The Constitution of Pennsylvania, and its protection
10 of the right to bear arms, predates the Constitution of the
11 United States.

12 (2) It is an established canon of judicial construction
13 that a state constitution may not offer less protection of
14 individual rights than the Constitution of the United States,
15 but it can afford more protections.

16 (3) Section 21 of Article I of the Constitution of
17 Pennsylvania provides: "The right of the citizens to bear
18 arms in defense of themselves and the State shall not be

1 questioned."

2 (4) Pennsylvania's constitutional protection of an
3 individual's right to bear arms is clear and unequivocal.
4 Section 2. Use of State resources to enforce Federal laws
5 relating to firearms, firearm components or
6 ammunition.

7 (a) General rule.--Neither the Commonwealth nor any of its
8 political subdivisions shall allow the use of any resources or
9 public funds to enforce a Federal law, executive order or
10 regulation that is enacted or promulgated after the effective
11 date of this section and attempts to register, restrict or ban
12 the ownership or purchase, whether by number or type, of a
13 firearm, component of a firearm or ammunition.

14 (b) Definition.--As used in this section, the term
15 "resources" shall mean and include judicial buildings,
16 correctional facilities, personnel and equipment.

17 Section 3. Effective date.

18 This act shall take effect immediately.