

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 338 Session of 2023

INTRODUCED BY SANCHEZ, KENYATTA, MADDEN, SCHLOSSBERG, DELLOSO, HANBIDGE, BENHAM, BOYLE, RABB, HOWARD, D. WILLIAMS, CIRESI, CERRATO, VITALI, McNEILL, KINSEY, FIEDLER, HOHENSTEIN, KRAJEWSKI, SAMUELSON, BURGOS, PARKER, FLEMING, DEASY, STURLA, FREEMAN, KINKEAD, OTTEN, FRANKEL, SHUSTERMAN, SAPPEY, VENKAT, BOROWSKI AND CEPEDA-FREYTIZ, MARCH 13, 2023

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 13, 2023

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
 2 Consolidated Statutes, in firearms and other dangerous
 3 articles, providing for report of theft or loss of firearm;
 4 and imposing penalties.

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 § 6115.1. Report of theft or loss of firearm.

10 (a) Duty to report.--An owner or other person lawfully in
 11 possession of a firearm who suffers the loss or theft of a
 12 firearm shall, within 72 hours of the discovery of the loss or
 13 theft, report the facts and circumstances of the loss or theft
 14 to the municipal police of the jurisdiction in which the loss or
 15 theft is believed to have occurred or the Pennsylvania State
 16 Police. The person making the report shall provide all known
 17 information about the firearm, including the following:

- 1 (1) Name and address of the owner.
- 2 (2) All known facts and circumstances pertaining to the
3 loss or theft.
- 4 (3) Name of the manufacturer and importer.
- 5 (4) Model.
- 6 (5) Type of action.
- 7 (6) Caliber or gauge.
- 8 (7) Serial number.
- 9 (8) Any other information deemed necessary by the
10 officer or police department receiving the report.

11 (b) Sharing of information.--A law enforcement agency that
12 receives a report under this section shall, within 24 hours of
13 receiving the report, forward notice of the loss or theft as
14 well as all information obtained under subsection (a) to the
15 Pennsylvania State Police.

16 (c) Pennsylvania State Police.--The Pennsylvania State
17 Police shall receive, collect and file the information under
18 subsection (a). The Pennsylvania State Police shall cooperate
19 and undertake to furnish or make the information available to
20 all law enforcement agencies in this Commonwealth for the
21 purpose of coordinating law enforcement efforts to locate the
22 firearm.

23 (d) Return of firearm.--A lost or stolen firearm recovered
24 by the Pennsylvania State Police or a local law enforcement
25 agency shall be returned to the lawful owner, subject to the
26 provisions of section 6111.1(b)(4) (relating to Pennsylvania
27 State Police).

28 (e) Penalty.--Notwithstanding any other provision of law, a
29 person who violates subsection (a) commits:

- 30 (1) A summary offense for the first offense, punishable

1 by a fine of not more than \$500.

2 (2) A misdemeanor of the second degree for a second
3 offense.

4 (3) A misdemeanor of the first degree for a third or
5 subsequent offense.

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