
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1201 Session of
2024

INTRODUCED BY CAPPELLETTI, DILLON, HAYWOOD, FONTANA,
TARTAGLIONE, SAVAL, KANE AND MUTH, MAY 28, 2024

REFERRED TO JUDICIARY, MAY 28, 2024

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in firearms and other dangerous
3 articles, further providing for licenses, providing for
4 liability insurance and further providing for sale or
5 transfer of firearms.

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

8 Section 1. Section 6109(e)(1) of Title 18 of the
9 Pennsylvania Consolidated Statutes is amended to read:

10 § 6109. Licenses.

11 * * *

12 (e) Issuance of license.--

13 (1) A license to carry a firearm shall be for the
14 purpose of carrying a firearm concealed on or about one's
15 person or in a vehicle and shall be issued if, after an
16 investigation not to exceed 45 days, it appears that the
17 applicant is an individual concerning whom no good cause
18 exists to deny the license and who has obtained firearm
19 liability insurance as provided under section 6109.1

1 (relating to liability insurance). A license shall not be
2 issued to any of the following:

3 (i) An individual whose character and reputation is
4 such that the individual would be likely to act in a
5 manner dangerous to public safety.

6 (ii) An individual who has been convicted of an
7 offense under the act of April 14, 1972 (P.L.233, No.64),
8 known as The Controlled Substance, Drug, Device and
9 Cosmetic Act.

10 (iii) An individual convicted of a crime enumerated
11 in section 6105.

12 (iv) An individual who, within the past ten years,
13 has been adjudicated delinquent for a crime enumerated in
14 section 6105 or for an offense under The Controlled
15 Substance, Drug, Device and Cosmetic Act.

16 (v) An individual who is not of sound mind or who
17 has ever been committed to a mental institution.

18 (vi) An individual who is addicted to or is an
19 unlawful user of marijuana or a stimulant, depressant or
20 narcotic drug.

21 (vii) An individual who is a habitual drunkard.

22 (viii) An individual who is charged with or has been
23 convicted of a crime punishable by imprisonment for a
24 term exceeding one year except as provided for in section
25 6123 (relating to waiver of disability or pardons).

26 (ix) A resident of another state who does not
27 possess a current license or permit or similar document
28 to carry a firearm issued by that state if a license is
29 provided for by the laws of that state, as published
30 annually in the Federal Register by the Bureau of

1 Alcohol, Tobacco and Firearms of the Department of the
2 Treasury under 18 U.S.C. § 921(a)(19) (relating to
3 definitions).

4 (x) An alien who is illegally in the United States.

5 (xi) An individual who has been discharged from the
6 armed forces of the United States under dishonorable
7 conditions.

8 (xii) An individual who is a fugitive from justice.
9 This subparagraph does not apply to an individual whose
10 fugitive status is based upon nonmoving or moving summary
11 offense under Title 75 (relating to vehicles).

12 (xiii) An individual who is otherwise prohibited
13 from possessing, using, manufacturing, controlling,
14 purchasing, selling or transferring a firearm as provided
15 by section 6105.

16 (xiv) An individual who is prohibited from
17 possessing or acquiring a firearm under the statutes of
18 the United States.

19 (xv) An individual who has failed to obtain and
20 provide to the issuing authority evidence of firearm
21 liability insurance as provided under section 6109.1.

22 * * *

23 Section 2. Title 18 is amended by adding a section to read:

24 § 6109.1. Liability insurance.

25 (a) General rule.--An individual may not possess, use,
26 manufacture, control, sell or transfer or be issued a license
27 under section 6109 (relating to licenses) without first
28 obtaining and providing a certificate of liability insurance
29 verifying that the individual has a valid insurance policy
30 insuring against injury to persons or property that may arise

1 out of the use of a firearm covered by the license.

2 (b) Required criteria.--The insurance policy shall meet all
3 of the following criteria:

4 (1) Be in an amount of at least \$1,000,000.

5 (2) Satisfy any judgment for personal injury or property
6 damage arising out of a negligent or willful act involving
7 the use of an insured firearm.

8 (3) May not cover any unlawful act.

9 (c) Notice of insurance.--An individual who has been issued
10 a contract of firearm liability insurance, or any approved self-
11 insurance entity, shall:

12 (1) Notify the Pennsylvania State Police of the
13 liability insurance on a form developed by the Pennsylvania
14 State Police. The form shall include:

15 (i) Name and address of the individual.

16 (ii) Issuing insurance entity policy number and
17 expiration date of policy.

18 (iii) Names, addresses and age of additional
19 individuals covered by the liability insurance policy
20 entitled to possess, use or transport insured firearms.

21 (2) Notify the licensing authority of the county in
22 which the insured individual resides, if the firearm
23 liability insurance becomes canceled or terminated. An
24 insurer shall provide a copy of the notice of cancellation or
25 a copy of the insurer's filing procedures with proof that the
26 notice was written in the normal course of business and
27 placed in the normal course of mailing.

28 (3) Obtain from an insurance company an identification
29 certificate to the insured which are valid only for the
30 period for which coverage is paid by the insured. The

1 insurance identification certificates shall disclose the
2 period for which coverage is paid by the insured. If the
3 insured has financed premiums through a premium finance
4 company or is on an insurer-sponsored or agency-sponsored
5 payment plan, the insurance identification certificate may be
6 issued for a period of six months notwithstanding that the
7 payment by the insured may be for a period of less than six
8 months.

9 (d) Duty to carry insurance identification certificate.--The
10 insurer's insurance identification certificate shall be carried
11 simultaneously with the insured firearm, as well as the license
12 issued under section 6109, and shall be exhibited to a law
13 enforcement officer upon demand for inspection. An owner who
14 fails to produce the insurance identification certification on
15 demand is subject to the following:

16 (1) The law enforcement officer shall confiscate the
17 firearm.

18 (2) The owner of the firearm shall be provided with a
19 signed and dated written receipt by the law enforcement
20 officer. The receipt shall include a detailed identifying
21 description indicating the serial number and condition of the
22 firearm.

23 (3) If, within 10 days, the law enforcement officer does
24 not receive proof from the owner of the firearm that the
25 owner has a valid firearm liability insurance policy, the law
26 enforcement officer shall notify the licensing authority of
27 the county in which the owner resides that proof of insurance
28 was not provided and the firearm was confiscated.

29 (4) Upon receipt of the notification, the licensing
30 authority shall immediately revoke the owner's license to

1 carry a firearm and immediately notify the owner and law
2 enforcement officer of the license revocation.

3 (5) A confiscated firearm shall be released to an owner
4 by the law enforcement officer to whom the firearm was
5 confiscated as follows:

6 (i) after confirmation has been received by the law
7 enforcement officer that the owner's license to carry has
8 been revoked and the law enforcement officer has notified
9 the owner that the license has been revoked and the owner
10 may no longer carry the firearm in public; or

11 (ii) the law enforcement officer has received proof
12 from the owner of the firearm that the owner has a valid
13 firearm liability insurance policy.

14 (e) License reissuance fee.--

15 (1) If a licensing authority revokes a person's license
16 to carry a firearm, the licensing authority may not reissue
17 the license to carry until the person furnishes proof of
18 insurance.

19 (2) The licensing authority shall charge a fee of \$50 to
20 reissue a license to carry following a revocation.

21 (f) Foreign concealed weapons.--An individual who does not
22 reside but is present in this Commonwealth with a concealed
23 firearm and possesses a valid and lawfully issued license or
24 permit to carry the firearm which has been issued under the laws
25 of another state as provided under section 6106(b)(15) (relating
26 to firearms not to be carried without a license) shall obtain
27 firearm liability insurance as provided in this section within
28 30 days of arriving in this Commonwealth.

29 (g) Penalties for noncompliance.--An individual who fails to
30 maintain liability insurance as required under this subsection

1 shall be subject to the following:

2 (1) For a first offense, the individual shall be subject
3 to a fine of at least \$1,000.

4 (2) For a second offense, the individual shall be
5 subject to a fine of at least \$5,000.

6 (3) For a third offense, the individual commits a
7 misdemeanor of the third degree and shall be subject to a
8 fine of at least \$10,000.

9 (4) For a fourth and subsequent offense, the individual
10 commits a misdemeanor of the second degree and shall be
11 subject to a fine of at least \$15,000.

12 Section 3. Section 6111(b)(2) of Title 18 is amended to
13 read:

14 § 6111. Sale or transfer of firearms.

15 * * *

16 (b) Duty of seller.--No licensed importer, licensed
17 manufacturer or licensed dealer shall sell or deliver any
18 firearm to another person, other than a licensed importer,
19 licensed manufacturer, licensed dealer or licensed collector,
20 until the conditions of subsection (a) have been satisfied and
21 until he has:

22 * * *

23 (2) Inspected photoidentification and proof of liability
24 insurance required under section 6109.1 (relating to
25 liability insurance) of the potential purchaser or
26 transferee, including, but not limited to, a driver's
27 license, official Pennsylvania photoidentification card or
28 official government photoidentification card. In the case of
29 a potential buyer or transferee who is a member of a
30 recognized religious sect or community whose tenets forbid or

1 discourage the taking of photographs of members of that sect
2 or community, a seller shall accept a valid-without-photo
3 driver's license or a combination of documents, as prescribed
4 by the Pennsylvania State Police, containing the applicant's
5 name, address, date of birth and the signature of the
6 applicant.

7 * * *

8 Section 4. This act shall take effect in 180 days.