

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 822 Session of 2025

INTRODUCED BY LANGERHOLC, K. WARD, GEBHARD, BAKER, PHILLIPS-HILL, PENNYCUICK, COLEMAN, BARTOLOTTA, LAUGHLIN, BROOKS, STEFANO, HUTCHINSON, J. WARD, YAW, ARGALL, DUSH, ROBINSON, VOGEL, ROTHMAN, CULVER, MARTIN AND MASTRIANO, JUNE 3, 2025

REFERRED TO LOCAL GOVERNMENT, JUNE 3, 2025

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 53 (Municipalities
2 Generally) of the Pennsylvania Consolidated Statutes, in
3 firearms and other dangerous articles, further providing for
4 limitation on the regulation of firearms and ammunition; and,
5 in preemptions, providing for regulation of firearms and
6 ammunition.

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

9 Section 1. Section 6120(b) of Title 18 of the Pennsylvania
10 Consolidated Statutes is amended and the section is amended by
11 adding a subsection to read:

12 § 6120. Limitation on the regulation of firearms and
13 ammunition.

14 * * *

15 (a.4) Relief.--

16 (1) A person adversely affected by any manner of
17 ordinance, resolution, rule, practice or other action
18 promulgated or enforced by a county, municipality or township
19 in violation of subsection (a) or 53 Pa.C.S. § 307(a)

1 (relating to regulation of firearms and ammunition) or
2 2962(g) (relating to limitation on municipal powers), may
3 seek declarative and injunctive relief and the actual damages
4 attributable to the violation in an appropriate court.

5 (2) If a person adversely affected under paragraph (1)
6 is a plaintiff who provided 60 days' prior written notice of
7 the person's intention to file a claim under this subsection
8 to the defendant, the court shall award reasonable expenses
9 to the person adversely affected if the claim under paragraph
10 (1) results in:

11 (i) a final determination by a court in favor of the
12 person adversely affected; or

13 (ii) rescission or repeal of the challenged manner
14 of regulation or enforcement after suit has been filed
15 under paragraph (1) but prior to a final determination by
16 a court.

17 (3) If a person is a defendant in a proceeding asserting
18 a defense under subsection (a) or 53 Pa.C.S. § 307(a) or
19 2962(g), the court shall award reasonable expenses payable by
20 the county, municipality or township to the person if the
21 defense results in the withdrawal or dismissal of the
22 proceeding, an entry of nolle prosequi or an acquittal on the
23 basis of the defense.

24 (b) Definitions.--As used in this section, the following
25 words and phrases shall have the meanings given to them in this
26 subsection:

27 "Dealer." The term shall include any person engaged in the
28 business of selling at wholesale or retail a firearm or
29 ammunition.

30 "Firearms." This term shall have the meaning given to it in

1 section 5515 (relating to prohibiting of paramilitary training)
2 but shall not include air rifles as that term is defined in
3 section 6304 (relating to sale and use of air rifles).

4 "Person adversely affected." Any of the following:

5 (1) A person who has standing under the laws of this
6 Commonwealth to bring a claim under subsection (a.4)(1).

7 (2) A resident of this Commonwealth who may legally
8 possess a firearm under Federal or State law.

9 (3) A membership organization, the members of which
10 include a person described under paragraph (1) or (2).

11 "Political subdivision." The term shall include any home
12 rule charter municipality, county, city, borough, incorporated
13 town, township or school district.

14 "Reasonable expenses." The term includes, but is not limited
15 to, attorney fees, expert witness fees, court costs and
16 compensation for loss of income.

17 Section 2. Title 53 is amended by adding a section to read:
18 § 307. Regulation of firearms and ammunition.

19 (a) Preemption.--The General Assembly has always intended
20 and continues to intend to occupy the entire field of regulation
21 of firearms, ammunition, magazines, accessories, firearm
22 components and ammunition components in this Commonwealth,
23 including the purchase, sale, transfer, taxation, manufacture,
24 ownership, possession, use, discharge, transportation and
25 reporting of loss or theft of firearms, ammunition, firearm
26 components and ammunition components in this Commonwealth, to
27 the exclusion of any existing or future ordinance, resolution,
28 regulation, rule, practice or other action adopted by a
29 municipality. The Commonwealth, by this section, preempts and
30 supersedes any manner of ordinance, resolution, regulation,

1 rule, practice or other action promulgated or enforced by a
2 municipality of firearms, ammunition, firearm components or
3 ammunition components in this Commonwealth, and any such action
4 is declared null and void.

5 (b) Continuing effect.--The provisions of section 2962(g)
6 (relating to limitation on municipal powers) and 18 Pa.C.S. §
7 6120(a) (relating to limitation on the regulation of firearms
8 and ammunition) shall continue to preempt and supersede a local
9 ordinance, resolution, regulation, rule, practice or other
10 action insofar as the local ordinance, resolution, regulation,
11 rule, practice or other action is inconsistent with the
12 provisions of section 2962(g) or 18 Pa.C.S. § 6120(a).

13 Section 3. Within 30 days of the effective date of this
14 section, the Attorney General shall notify State associations
15 for all municipalities of the amendment or addition of 18
16 Pa.C.S. § 6120(a.4) and (b) and 53 Pa.C.S. § 307.

17 Section 4. This act shall take effect as follows:

18 (1) The following shall take effect in 90 days:

19 The amendment or addition of 18 Pa.C.S. § 6120(a.4)
20 and (b).

21 The addition of 53 Pa.C.S. § 307.

22 (2) The remainder of this act shall take effect
23 immediately.