
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2688 Session of
2022

INTRODUCED BY HOWARD, FRANKEL, MADDEN, WELBY, T. DAVIS, SANCHEZ,
SCHLOSSBERG, DELLOSO, GUENST, D. WILLIAMS, PARKER, HERRIN AND
HILL-EVANS, JUNE 20, 2022

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 20, 2022

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 sale or transfer of firearms;
4 establishing the Pennsylvania Firearms Buyback Program and
5 the Pennsylvania Firearms Buyback Program Fund; and imposing
6 duties on the Attorney General.

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

9 Section 1. Section 6111(j)(1) of Title 18 of the
10 Pennsylvania Consolidated Statutes is amended to read:

11 § 6111. Sale or transfer of firearms.

12 * * *

13 (j) Exemption.--

14 (1) The provisions of subsections (a) and (b) shall not
15 apply to:

16 (i) sales between Federal firearms licensees; [or]

17 (ii) the purchase of firearms by a chief law
18 enforcement officer or his designee, for the official use
19 of law enforcement officers[.]; or

1 (iii) the purchase of firearms by a chief law
2 enforcement officer or a designee as part of the
3 Pennsylvania Firearms Buyback Program.

4 * * *

5 Section 2. Chapter 61 of Title 18 is amended by adding a
6 subchapter to read:

7 SUBCHAPTER E

8 PENNSYLVANIA FIREARMS BUYBACK PROGRAM

9 Sec.

10 6191. Definitions.

11 6192. Pennsylvania Firearms Buyback Program.

12 6193. Powers and duties of Attorney General.

13 6194. Pennsylvania Firearms Buyback Program Fund.

14 § 6191. Definitions.

15 The following words and phrases when used in this subchapter
16 shall have the meanings given to them in this section unless the
17 context clearly indicates otherwise:

18 "Firearm." As defined in section 6105(i) (relating to
19 persons not to possess, use, manufacture, control, sell or
20 transfer firearms). The term does not include an antique firearm
21 as defined in section 6118 (relating to antique firearms).

22 "Fund." The Pennsylvania Firearms Buyback Program Fund
23 established under section 6194 (relating to Pennsylvania
24 Firearms Buyback Program Fund).

25 "Program." The Pennsylvania Firearms Buyback Program
26 established under section 6192 (relating to Pennsylvania
27 Firearms Buyback Program).

28 § 6192. Pennsylvania Firearms Buyback Program.

29 (a) Establishment.--The Pennsylvania Firearms Buyback
30 Program is established in the Office of Attorney General.

1 (b) Purpose.--The purpose of the program is to reduce
2 violence and crime in a community by offering an incentive for
3 the voluntary surrender of firearms to a participating law
4 enforcement officer or sheriff.

5 (c) Voluntary participation.--A law enforcement officer or
6 sheriff in this Commonwealth may participate in the program.

7 (d) Surrender of firearms.--

8 (1) An individual may surrender a firearm to a law
9 enforcement officer or sheriff who participates in the
10 program.

11 (2) A law enforcement officer or sheriff who
12 participates in the program and accepts the surrender of a
13 firearm from an individual through the program shall keep the
14 identity of the individual confidential.

15 (3) An individual who surrenders a firearm under this
16 subsection shall not be subject to prosecution for possession
17 of the firearm.

18 § 6193. Powers and duties of Attorney General.

19 (a) Administration.--The Attorney General shall administer
20 the program in consultation with the Commissioner of the
21 Pennsylvania State Police, law enforcement officers and
22 sheriffs.

23 (b) Rules and regulations.--The Attorney General shall
24 promulgate rules and regulations necessary to effectuate the
25 implementation of the program. Rules and regulations promulgated
26 under this subsection may include guidelines for:

27 (1) A law enforcement officer or sheriff participating
28 in the program to:

29 (i) Designate when and where a firearm may be
30 surrendered by an individual.

1 (ii) Coordinate with community groups within its
2 jurisdiction.

3 (iii) Handle the surrender of firearms, including:

4 (A) Safe storage and disposal of firearms
5 surrendered through the program.

6 (B) Return of stolen firearms recovered through
7 the program to the lawful owner.

8 (C) Retention for evidence of firearms
9 determined to have been used in a crime.

10 (iv) Develop and implement an independent firearms
11 buyback program that meets the requirements of this
12 subchapter and is otherwise permitted by law.

13 (2) Monetary or other incentives for a surrendered
14 firearm, which shall not be less than 40% of the fair market
15 price of a firearm of the same type and in the same condition
16 as the surrendered firearm.

17 § 6194. Pennsylvania Firearms Buyback Program Fund.

18 (a) Establishment.--The Pennsylvania Firearms Buyback
19 Program Fund is established as a restricted receipt account in
20 the State Treasury.

21 (b) Funding.--The fund shall consist of money from the
22 following sources:

23 (1) Appropriations or transfers enacted by the General
24 Assembly.

25 (2) Donations from private businesses, charities and
26 individuals.

27 (3) Other money, including assets, seizures and
28 forfeitures collected by law enforcement officers or
29 sheriffs.

30 (c) Continuing appropriation.--All money in the fund is

1 appropriated on a continuing basis to the Office of Attorney
2 General for the purpose of administering this subchapter.

3 Section 3. This act shall take effect in 60 days.