

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 40 Session of  
2025

INTRODUCED BY KANE, SANTARSIERO, KEARNEY, HAYWOOD, COMMITTA,  
TARTAGLIONE, COSTA AND L. WILLIAMS, MAY 12, 2025

REFERRED TO JUDICIARY, MAY 12, 2025

AN ACT

1 Providing for individuals to voluntarily register for the  
2 Pennsylvania Do-Not-Sell List maintained by the Pennsylvania  
3 State Police, for firearms not to be in the possession of a  
4 registrant and for advertising by the Department of Health;  
5 and imposing penalties.

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

8 Section 1. Short title.

9 This act shall be known and may be cited as the Do-Not-Sell  
10 Firearm Registry Act.

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall  
13 have the meanings given to them in this section unless the  
14 context clearly indicates otherwise:

15 "Firearm." As defined in 18 Pa.C.S. § 6102 (relating to  
16 definitions).

17 "List." The Pennsylvania Do-Not-Sell List established under  
18 this act.

19 "Personal information." The following:

- 1           (1) Full name.
- 2           (2) Date of birth.
- 3           (3) Address.
- 4           (4) Telephone number.

5       "Registrant." An individual who voluntarily registers for  
6 the list either through an Internet website or hard copy form.

7       "Registry." The Do-Not-Sell Firearm Registry authorized  
8 under this act.

9 Section 3. Do-Not-Sell Firearm Registry.

10       (a) Establishment.--Within one year of the effective date of  
11 this section, the Pennsylvania State Police shall develop and  
12 launch a secure Internet-based registry, to be known as the Do-  
13 Not-Sell Firearm Registry, to allow an individual residing in  
14 this Commonwealth to voluntarily register the individual's  
15 personal information on a list to be established and known as  
16 the Pennsylvania Do-Not-Sell List.

17       (b) Protections.--The Pennsylvania State Police shall ensure  
18 that the list credibly:

- 19           (1) Verifies the identity of a registrant.
- 20           (2) Prevents unauthorized disclosures of registrants.
- 21           (3) Informs the registrant of the legal effects of  
22 registration.

23       (c) Forms.--Within six months of the effective date of this  
24 section, the Pennsylvania State Police shall develop and widely  
25 distribute a hard copy form to allow an individual to register  
26 the individual's personal information on the registry and a form  
27 for an individual to request removal of personal information  
28 from the registry. The forms may be:

- 29           (1) uploaded to an Internet-based platform with a  
30 photocopy of a government-issued photo identification;

1           (2) submitted in person at a county clerk's office with  
2 a government-issued photo identification;

3           (3) mailed to the Pennsylvania State Police with a  
4 photocopy of a government-issued photo identification; or

5           (4) transmitted by text message to the Pennsylvania  
6 State Police with a picture of a government-issued photo  
7 identification.

8       (d) Email notification option.--

9           (1) The registry and registration form shall provide the  
10 option of entering up to five email addresses for email  
11 notifications.

12          (2) The registrant may provide email addresses at the  
13 time of registration or any time after registration.

14          (3) The Pennsylvania State Police shall transmit a  
15 notice to the email address or email addresses as provided if  
16 the registrant subsequently seeks to remove the registrant's  
17 name from the registry.

18       (e) Record of personal information in databases.--After a  
19 registrant provides personal information and is placed on the  
20 registry, the Pennsylvania State Police shall record that  
21 information in the Pennsylvania Instant Check System and the  
22 NICS Index Denied Persons File.

23 Section 4. Unlawful sale or delivery of firearms to registrant.

24       (a) Unlawful activity.--A firearm importer, firearm  
25 manufacturer or firearm dealer licensed under the laws of this  
26 Commonwealth, or an entity or individual dealing in firearms  
27 required to perform a background check, may not sell or deliver  
28 a firearm to a registrant.

29       (b) Penalty.--Violation of subsection (a) shall be  
30 punishable by a fine up to \$10,000 and imprisonment for no more

1 than one year.

2 Section 5. Removal from registry.

3 (a) Removal by request.--A registrant may request that the  
4 registrant's personal information be removed from the registry  
5 by one of the methods listed under section 3 for registration.  
6 Twenty-one days after the request for removal is received, the  
7 Pennsylvania State Police shall remove the requesting registrant  
8 from the Pennsylvania Instant Check System and notify the FBI to  
9 remove the requesting registrant from the NICS Index Denied  
10 Persons File. The Pennsylvania State Police shall purge all  
11 records of the registration and removal of the registrant's  
12 personal information from the registry.

13 (b) Removal by court.--The personal information of a  
14 registrant may be immediately removed from the registry by  
15 applying for immediate removal to Commonwealth Court and  
16 proving, by a preponderance of the evidence, that the registrant  
17 does not pose a risk of self harm or a harm to public safety.  
18 The proceeding may allow evidence from a public official or  
19 interested party.

20 Section 6. Unlawful activity.

21 (a) Inquiries.--It shall be unlawful for an individual or  
22 entity to inquire as to whether an individual is registered on  
23 the registry or has personal information on the list for any  
24 purpose other than to determine an individual's eligibility to  
25 purchase, possess or transport a firearm. Violations of this  
26 subsection are punishable by a civil fine of up to \$10,000.

27 (b) Discrimination.--It shall be unlawful for a person to  
28 discriminate against an individual with respect to health care  
29 services, employment, education, housing, insurance,  
30 governmental benefits or contracting because the individual is

1 registered on the registry or has personal information on the  
2 list. Violations of this subsection shall be punishable by a  
3 civil fine of up to \$10,000.

4 (c) Unlawful disclosure.--A person who obtains personal  
5 information relating to a registrant from the registry or list  
6 shall not disclose that personal information. Violations of this  
7 subsection shall be punishable by a fine of up to \$10,000 and  
8 imprisonment for no more than one year.

9 (d) False information.--It shall be unlawful for a person to  
10 knowingly give false information or to make false statements  
11 with the intent of enrolling or removing an individual from the  
12 registry or list. Violations of this subsection shall be  
13 punishable by a fine of up to \$10,000 and imprisonment for no  
14 more than one year.

15 Section 7. Confidentiality.

16 (a) List not admissible as evidence.--Except as necessary to  
17 enforce section 6, neither the personal information of a  
18 registrant nor the fact that the personal information was  
19 removed from the registry shall be admissible as evidence in a  
20 legal proceeding.

21 (b) List not subject to Right-to-Know Law.--The contents of  
22 the list, including personal information of registrants, shall  
23 not be subject to disclosure under the act of February 14, 2008  
24 (P.L.6, No.3), known as the Right-to-Know Law.

25 Section 8. Opportunity for individuals to register.

26 (a) Hospital visit after attempted suicide.--An employee of  
27 an acute care hospital or an emergency facility in which an  
28 individual receives treatment after a probable suicide attempt  
29 may, as a nonbinding matter of best practice, present the  
30 individual with the opportunity to register for the list.

1 (b) Suicide hotline.--A suicide hotline maintained or  
2 operated by an entity funded in whole or in part by the  
3 Commonwealth may, as a nonbinding matter of best practice,  
4 inform callers about the opportunity to register for the list.

5 (c) Department of Transportation.--Driver license and photo  
6 license centers operated by the Department of Transportation  
7 shall offer individuals the opportunity to register for the  
8 list.

9 (d) State boards.--The State Board of Medicine, the State  
10 Board of Nursing and the State Board of Psychology shall notify  
11 all licensees of the existence of the list within 60 days after  
12 the effective date of this section.

13 Section 9. Advertising.

14 The Department of Health, in consultation with the  
15 Pennsylvania State Police, shall develop and implement a  
16 publicity and advertising campaign that, at a minimum, provides  
17 the public with information about the list, how to register for  
18 the list and contacts for additional information regarding the  
19 list.

20 Section 10. Effective date.

21 This act shall take effect in 60 days.