

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 632 Session of 2023

INTRODUCED BY MASTRIANO, APRIL 28, 2023

REFERRED TO EDUCATION, APRIL 28, 2023

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An  
 2 act relating to the public school system, including certain  
 3 provisions applicable as well to private and parochial  
 4 schools; amending, revising, consolidating and changing the  
 5 laws relating thereto," in school security, providing for  
 6 school safety form.

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

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known  
 10 as the Public School Code of 1949, is amended by adding a  
 11 section to read:

12 Section 1314.1-C. School safety form.

13 (a) Notice.--In accordance with this section, a school  
 14 entity shall provide written notice that the form under  
 15 subsection (b) was received from the employees of the school  
 16 entity or submitted by an employee of the school entity. A form  
 17 shall allow an employee granted a form under subsection (c) to  
 18 possess a firearm on the grounds of the school entity in the  
 19 course of the employee's official duties.

20 (b) Request form.--On a document prescribed by the

1 department, an employee of a school entity may submit a request  
2 for a form to the chief school administrator of the school  
3 entity where the employee is employed.

4 (c) Approval of request.--Upon receipt of a request for a  
5 form under subsection (b), the school entity shall, within 45  
6 days, grant a school safety form to the employee if the employee  
7 provides the following:

8 (1) Valid proof of employment by the school entity.

9 (2) A current full-face photograph that measures two  
10 inches by two inches.

11 (3) Proof of a valid license to carry firearms issued  
12 within this Commonwealth.

13 (4) A signed statement certifying that the employee  
14 completed an in-person training and proficiency course for  
15 the type of firearm the employee intends to carry on school  
16 property. The statement must be provided by:

17 (i) an instructor certified by the National Rifle  
18 Association in firearm instruction; or

19 (ii) another instructor deemed competent to provide  
20 the instruction by a judge of the court of common pleas  
21 in:

22 (A) the jurisdiction where the instructor  
23 resides; or

24 (B) the jurisdiction where the school entity is  
25 located.

26 (5) The statement under paragraph (4) is subject to 18  
27 Pa.C.S. § 4904 (relating to unsworn falsification to  
28 authorities) and must demonstrate that:

29 (i) the course provided training in:

30 (A) the protection of students;

1           (B) interaction of license holders with first  
2           responders;

3           (C) tactics for denying an intruder entry into a  
4           classroom or school facility;

5           (D) safe handling and storage of weapons; and

6           (E) operating defensive weapons under duress;

7           (ii) the course included no less than 15 and no more  
8           than 30 hours of instruction or as deemed appropriate by  
9           an instructor under paragraph (4) (i) or (ii); and

10           (iii) the employee was required to demonstrate  
11           hands-on safety and proficiency with the type of firearm  
12           the employee intends to carry on school property.

13           (d) Photograph.--An employee granted a form shall annually  
14           submit to the school entity a current full-face photograph that  
15           measures two inches by two inches.

16           (e) List of individuals.--

17           (1) A school entity shall annually submit to the  
18           Pennsylvania State Police and applicable municipal police  
19           departments a complete list of the names with corresponding  
20           photographs of the employees employed by the school entity  
21           who have been granted a form. A copy of a submission under  
22           this paragraph must be included in the district's emergency  
23           preparedness plan under 35 Pa.C.S. § 7701(g) (relating to  
24           duties concerning disaster prevention) and 22 Pa. Code Ch. 10  
25           (relating to safe schools). A school entity shall coordinate,  
26           including providing names and photographs, with its team  
27           under Article XIII-E.

28           (2) Notwithstanding information provided by the school  
29           entity to the Pennsylvania State Police or a municipal police  
30           department under this subsection, a name, list, picture or

1 other information identifying the name, existence or identity  
2 of an individual certified under this act is confidential and  
3 not subject to access under the act of February 14, 2008  
4 (P.L.6, No.3), known as the Right-to-Know Law. A school  
5 entity, person or State or local governmental agency or  
6 department that violates this section, resulting in the  
7 dissemination of confidential material to the public, is  
8 liable for civil damages in the amount of \$1,000 per  
9 occurrence or three times the actual damages incurred as a  
10 result of the violation, whichever is greater, as well as  
11 reasonable attorney fees.

12 (f) Storage.--The secure storage of a firearm may only be  
13 required if the individual is not carrying the firearm on the  
14 individual's body.

15 (g) Definitions.--The following words and phrases when used  
16 in this section shall have the meanings given to them in this  
17 subsection unless the context clearly indicates otherwise:

18 "Chief school administrator." As defined under section 1301-  
19 E.

20 "Firearm." As defined under 42 Pa.C.S. § 9712(e) (relating  
21 to sentences for offenses committed with firearms).

22 "Form." A school safety form provided under subsection (c).

23 "License to carry firearms." A license to carry a firearm  
24 issued under 18 Pa.C.S. § 6109 (relating to licenses).

25 "School entity." As defined under section 1301-E.

26 "Team." As defined under section 1301-E.

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