



**Bill Summary: Mandatory Minimums for Firearm Offenses  
HB 1850, HB 1851, HB 1852 (Rep. Todd Stephens)**

**The bills:** Rep. Stephens introduced a package of three bills that would reinstate mandatory prison sentences for various firearm offenses. **FAMM opposes these bills.**

**Bill Status:** These bills are not yet law. To become law, they must go through the committee process, pass through both the Pennsylvania Senate and House of Representatives, and be signed by the governor.

**HB 1850:** The United States and Pennsylvania Supreme Courts struck down the state's mandatory minimum sentencing laws on procedural grounds in 2013 and in 2015, respectively. Under the previous law, the element of the offense that required a mandatory sentence had to only be proven to a judge at sentencing by a preponderance of the evidence rather than to a jury beyond a reasonable doubt.

If passed, HB 1850 would correct this constitutional error and reinstate mandatory sentences for:

- offenses committed with firearms (Section 9712)
- certain drug offenses committed with firearms (Section 9712.1)
- offenses committed on public transportation (Section 9713)
- offenses against elderly persons (Section 9717)
- offenses against infant persons (Section 9718)
- offenses committed while impersonating a law enforcement officer (Section 9719)

**HB 1851:** If passed, HB 1851 would create new mandatory minimum penalties for people who possess a firearm and have certain prior felony convictions, no matter how old the prior felony conviction is. . The penalties would be:

- 5 years for a first offense
- 10 years for a second offense
- 25 years for a third or subsequent offense.

The Pennsylvania Department of Corrections' analysis of an identical bill that passed the House in 2014 found that **it would cost taxpayers \$67.2 million after five years, \$366.4 million after 10 years, \$1.5 billion after 25 years, and \$3.5 billion after 50 years.**

**HB 1852:** If passed, HB 1852 would require mandatory sentences for a "crime of violence" to run consecutively (back-to-back) with any other sentence for a crime of violence that involves a different victim, even if the crime stems from the same criminal event.

