

LEGISLATIVE BUDGET AND FINANCE COMMITTEE

A JOINT COMMITTEE OF THE PENNSYLVANIA GENERAL ASSEMBLY

Act 1995-17: The Adequacy of Fees Charged for the Pennsylvania Instant Check System

March 2026



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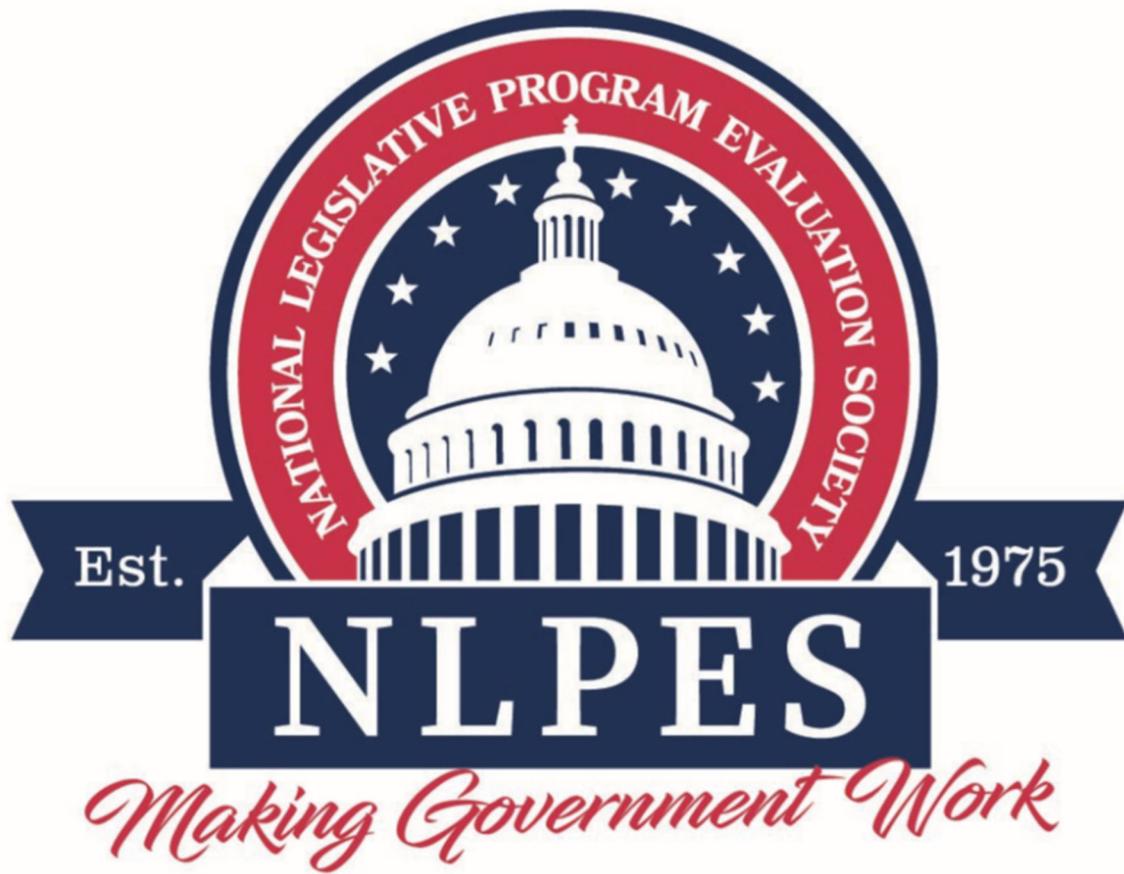
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REPORT SUMMARY



Study Objectives

Our objectives for the study were the following:

- 1. Review programmatic and financial key performance indicators for PICS.*
- 2. Assess the financial condition of the Firearm Records Check Fund and determine the adequacy of fees imposed to conduct instant checks on firearms purchases in the commonwealth.*
- 3. Provide a contextual review of federal firearms statute changes enacted since our previous study and analyze the corresponding impacts on PICS.*
- 4. Compare the fees and operation of PICS to the instant check systems employed by other equivalent states.*
- 5. Present findings to the General Assembly regarding the adequacy of PICS fees and other program operations.*

Overview

Passed in 1994, the federal Brady Handgun Violence Prevention Act (Brady Act) established the national framework for enhanced background checks for individuals attempting to purchase firearms in the United States, known as the National Instant Criminal Background Check System (NICS). In response to the Brady Act, the General Assembly passed Act 1995-17 (Act 17), which led to the creation of the Pennsylvania Instant Check System (PICS) in 1998. Operated and maintained by the Pennsylvania State Police (PSP), PICS provides immediate access to background checks when individuals attempt to purchase or receive a transferred firearm, or apply for a license to carry a firearm. Act 17 established two separate fees pertaining to firearms sales and background record checks in Pennsylvania: a \$2 fee charged to firearms dealers for each background check request they submit to the PSP and a \$3 surcharge on the sale of each taxable firearm, known as the Firearm Sales Surcharge.

Additionally, Act 17 requires the Legislative Budget and Finance Committee (LBFC) to assess the need to increase or decrease the fees imposed through PICS based on information provided by the PSP every five years. This study is the LBFC's sixth report under this legislative mandate. Our study objectives in response to this directive are summarized in the text box to the left.

Our report is organized as follows:

- Section I – Objectives, Scope, and Methodology**
- Section II – Background Information on the Pennsylvania Instant Check System**
- Section III – PICS Funding and Expenditures**
- Section IV – Review of PICS Operational Statistics**
- Section V – Instant Background Checks in Other States**

Staff from the PSP have reviewed a draft of this study, and their comments are included at the end of the report. We summarize our findings and recommendations from Sections III, IV, and V on pages S-1 through S-6.

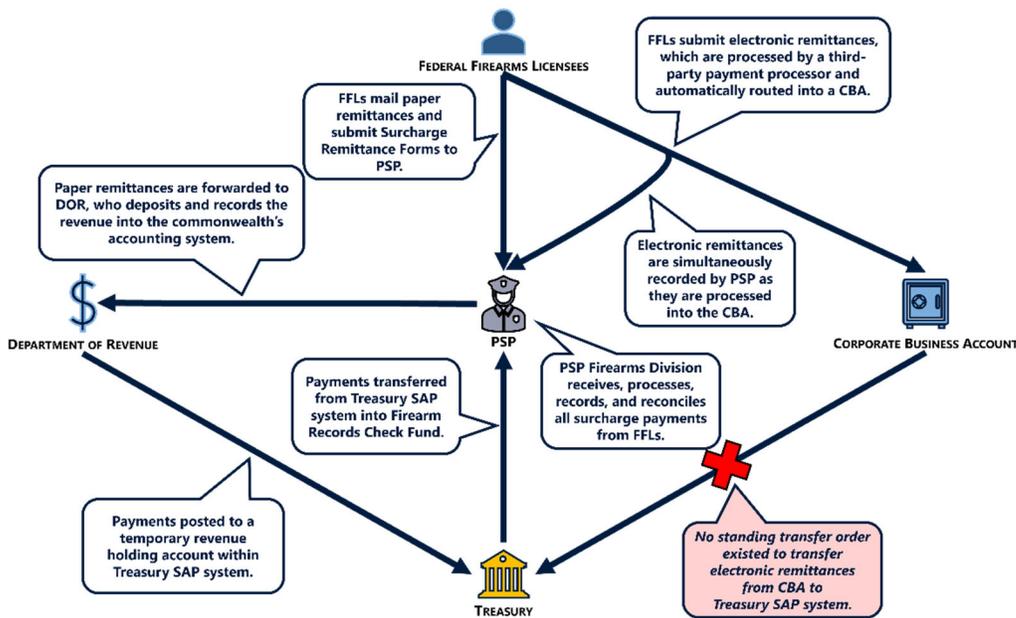
Section III – PICS Funding and Expenditures

Act 17 directs the LBFC to assess the adequacy of the combined \$5 background check fees in funding PICS. To accomplish this objective, we reviewed PICS funding and expenditures between fiscal year (FY) 2020-21 and FY 2024-25.

We found that PICS expenditures rose by 51 percent during our review period, totaling approximately \$12.3 million in FY 2024-25. This increase was primarily driven by personnel services, which constituted 97 percent of PICS spending over the previous five years. Most notably, the PSP increased its authorized staffing complement by 43 percent in calendar year 2022 to help ensure that PICS background check wait times meet the statutory requirements outlined in Act 17.

Conversely, the revenue generated by the \$5 surcharge for the Firearm Records Check Fund (fund) has remained relatively stable over the last decade. As a result, PICS spending vastly outpaced surcharge revenue, with background check fees accounting for less than one-third of the program’s spending in FY 2024-25.

Upon highlighting this growing gap to the PSP, the agency conducted an internal reconciliation of PICS program revenue in the fund. Ultimately, this reconciliation discovered that PICS’ financial statements did not include revenue from electronic payments for background checks,



resulting in the exclusion of nearly \$14.5 million from the fund since FY 2013-14. Including income from electronic payments with that of paper remittance (i.e., checks and money orders) would have increased the revenue in the fund by more than 100 percent in each year since FY 2021-22.

Several operational oversights in the PSP’s internal remittance and financial administration processes contributed to

the exclusion of electronic payments from the fund for 12 years. Most notably, a breakdown in internal controls led to the omission of a standard transfer order to send payments from the agency’s corporate

Figure 1: PICS Fees Remittance Process.

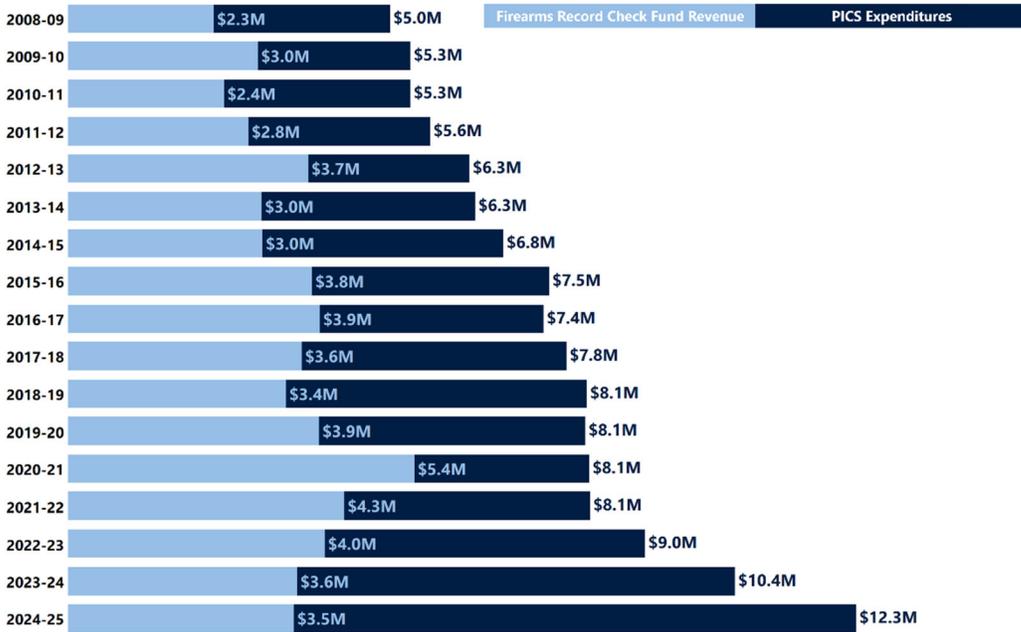


Figure 2: Firearm Records Check Fund Revenue vs. PICS Expenditures.

business account (CBA) into the state Treasury’s Systems, Applications, and Products in Data Processing (SAP) network. As a result of the LBFC’s inquiry, the PSP has taken several corrective actions to address the identified issues and prevent them from recurring.

Although the inclusion of electronic remittances significantly increased the amount of available revenue in the Firearm Records Check Fund, PICS expenditures continued to outpace instant check

surcharge revenue during our observation period. Further, the \$5 surcharge, which has remained the same since the implementation of PICS in 1998, has not been sufficient to fully fund the program for well over a decade, and we find it highly likely that program costs will continue to increase in the future.

Section IV – Review of PICS Operational Statistics

We divided our programmatic review of PICS into three sections: operational statistics, system operating hours and downtime, and PICS determination denials, challenges, and appeals.

There were 2,866 licensed firearms dealers in Pennsylvania in calendar year 2024. These dealers accounted for a total of 802,066 firearms sales and transfers, including 430,643 handguns, 345,036 long guns, and 26,387 frames/receivers. An additional 297,067 background checks were processed for license to carry permits in 2024. Of the nearly 1.1 million background check inquiries in 2024, 96.1 percent received approval during initial contact with PICS. Nearly 63 percent of all inquiries were automatically approved via PICS’ Interactive Voice Response (IVR) phone or Flexcheck web-based systems. Approximately one-third of inquiries were approved with the assistance of a PICS operator. On average, automatic approvals took less than one minute in 2024, while inquiries with operator assistance required 14 minutes and 46 minutes for IVR and Flexcheck, respectively.

Calendar Year	Licensed Firearms Dealers	Firearms Sales and Transfers				License to Carry Permits
		Handguns	Long Guns	Frames/Receivers	Total	
2020	2,795	672,930	423,416	33,232	1,129,578	311,224
2021	2,891	599,813	412,135	33,942	1,045,890	384,522
2022	2,686	512,421	359,258	29,802	901,481	353,871
2023	2,822	458,554	355,594	29,336	843,484	335,975
2024	2,866	430,643	345,036	26,387	802,066	297,067

Figure 3: Firearms Sales/Transfers and License to Carry Permits PICS Background Checks.

In June 2023, the PSP began conducting expanded background checks for firearm transfers for individuals under 21 as required by the federal Bipartisan Safer Communities Act (BSCA). In the first 18 months, PICS performed 21,998 expanded background

checks on those under 21, resulting in 216 denials. However, only eight of these denials were due to the additional background requirements under the BSCA; the other 208 denials resulted from traditional NICS/PICS criteria.

PICS operates every day of the year from 8:00 AM until 10:00 PM, which equates to 5,110 annual operating hours (5,124 operating hours during leap years in 2020 and 2024). According to PSP, PICS can suffer service disruptions for various reasons, including technical issues with federal databases, technical issues with PSP computer systems, or other unspecified technical difficulties (e.g., downed phone lines or power outages). However, PICS outages are minimal. Of the 25,578 hours PICS was operational between 2020 and 2024, the system experienced only 164.9 hours (0.6 percent) of outages. On average, PICS experienced service disruptions for 33 hours each year.

Law enforcement authorities are notified immediately when a fugitive, identified through a PICS check, attempts to purchase a firearm. In 2024, law enforcement authorities captured 109 individuals with active warrants who were attempting to acquire firearms. Additionally, the PSP can refer individuals for arrest who provide false information on the documents required for a PICS background check. In 2024, the PSP recorded 3,246 arrests of individuals who provided false information to PICS, resulting in 2,017 convictions. Our review found that the number of arrests and convictions for falsifying information during PICS background checks increased in 2024 compared to previous years. Between 2020 and 2023, an average of 465 arrests and 172 convictions resulted from submitting falsified information to PICS each year. The PSP attributes this increase to the federal grant funding it received from the NICS Act Record Improvement Program (NARIP). The grant provided the resources to support overtime for personnel dedicated to processing firearms investigations and conducting follow-up reviews of referred cases from previous years with unreported or pending dispositions. As a result, many previously unresolved cases were updated and finalized throughout 2024.

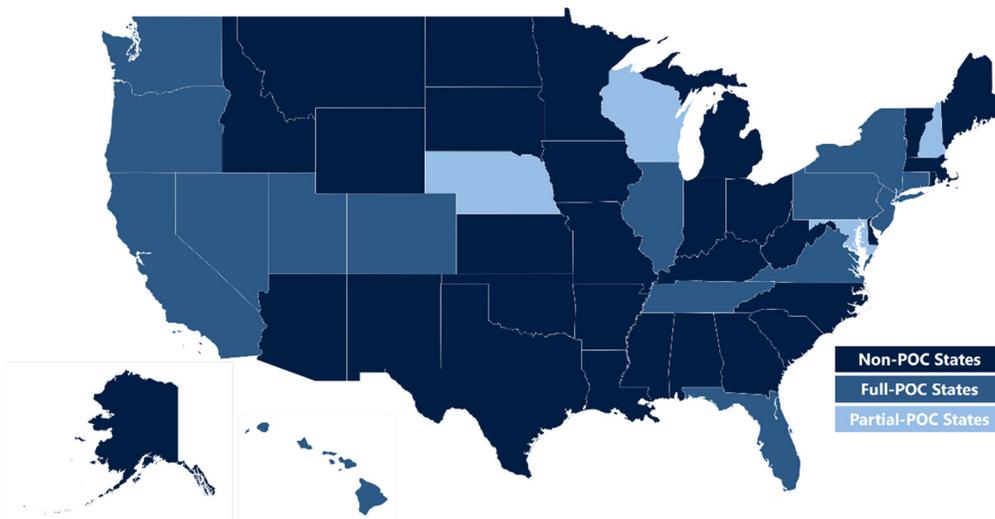
In 2024, 19,254 (1.8 percent) of the total nearly 1.1 million PICS inquiries were initially denied. The PICS initial denial rate is slightly higher than

the NICS initial denial rate of 1.1 percent for the same period. Since 2020, 28 percent of PICS denials, on average, have been challenged each year.

Section V – Instant Background Checks in Other States

In practice, NICS is a national partnership between the Federal Bureau of Investigation (FBI), the Bureau of Alcohol, Tobacco, and Firearms (ATF), and local and state governments. The Brady Act allows states autonomy to determine the degree to which they participate in NICS. States are grouped in one of three categories regarding their interactions with the federal background check databases:

- **Non-Point of Contact (POC) States.** In non-POC states, no state or local law enforcement agency serves as the contact point between federal firearms licensees (FFLs) and NICS. The FBI's NICS Section determines eligibility for all prospective firearm purchases and transfers occurring at FFLs.
- **Full-POC States.** In full-POC states, a designated state or local law enforcement agency serves as the contact point between FFLs and NICS. It makes eligibility determinations for all prospective firearm purchases and transfers within its state. Pennsylvania was one of 15 full-POC states in 2024.
- **Partial-POC States.** In partial-POC states, the FBI and a designated state agency share responsibility for processing NICS background checks for firearm purchases and transfers.



The process to verify firearms purchases in full-POC states varies across the country. Several states employ a more simplified structure, assessing a single fee for each firearm transaction. However, other states utilize more complex models, mandating permits, fingerprint testing, and safety training, among other requirements, to purchase a firearm. Further, four of the 15 full-POC states have distinct requirements for purchasing handguns and long guns. As a result, the

Figure 4: NICS Participation Status by State (2024).

fees to purchase firearms in full-POC states for first-time gun buyers vary significantly, from as low as \$2 to as high as approximately \$237, excluding the cost of the firearm.

Report Recommendations

1. We recommend that the General Assembly should consider amending Section 6111.2 of the Uniform Firearms Act to require the LBFC to include a performance audit of PSP's remittance process and procedures as part of its 2030 review of PICS fees.
2. We recommend that the General Assembly should consider amending Section 6111.1(i) of the Uniform Firearms Act to require the PSP to include PICS surcharge revenue and program expenditure data as part of its Firearms Annual Report.
3. We recommend that the General Assembly should consider amending the Uniform Firearms Act to enact a one-time increase of the PICS fees to \$17.50 and include language that will authorize an automatic adjustment of the surcharge rate commensurate with inflation every three years.

SECTION I OBJECTIVES, SCOPE, AND METHODOLOGY



Why we conducted this study...

Act 17 mandates that the LBFC conduct a quinquennial review of the fees imposed through PICS based on information provided by the PSP.

Act 1995-17 (Act 17) was signed by the Governor during a special session of the General Assembly on June 13, 1995. The act directed the Pennsylvania State Police (PSP) to establish and operate a system for instantaneous firearms background checks, formally known as the Pennsylvania Instant Check System (PICS). The law also established applicable fees for taxable firearms.

Additionally, Act 17 requires the Legislative Budget and Finance Committee (LBFC) to assess the need to increase or decrease the fees imposed through PICS based on information provided by the PSP every five years. This study is the LBFC's sixth report under this legislative mandate.

Objectives

Objectives allow us to answer the requirements of the study more precisely and provide an outline from which to plan the various project phases. In response to Act 17, our objectives are as follows:

1. To review programmatic and financial key performance indicators for PICS, including the number of background checks conducted annually by the PSP and the costs associated with operating the instant check system.
2. To assess the financial condition of the Firearm Records Check Fund and determine the adequacy of fees imposed to conduct instant checks on firearms purchases in the commonwealth.
3. To provide a contextual review of federal firearms statute changes enacted since our previous study and analyze the corresponding impacts on PICS.
4. To compare the fees and operation of PICS to the instant check systems employed by other equivalent states.
5. To present findings to the General Assembly regarding the adequacy of PICS fees and other program operations.

Scope

According to Government Auditing Standards, issued by the Comptroller General of the United States through the Government Accountability Office (GAO), scope refers to the boundary of a study and is directly tied to the audit objectives.¹

The scope of this study begins on January 1, 2020, the endpoint for our 2020 PICS report, and extends through December 31, 2024. The exception to this scope is financial data, which may include information from fiscal year (FY) 2019-20 (beginning on July 1, 2019) through FY 2024-25 (ending on June 30, 2025).

Methodology

To determine the number of instant checks the PSP conducts annually, PICS operational statistics, and the associated revenue collections and program expenditures, we reviewed the PSP's Firearms Annual Reports as well as other supporting materials obtained from PSP staff.

We also reviewed the background check laws, processes, and fees of other states using information from the Federal Bureau of Investigation and respective states' point of contact agencies.

Frequently Used Abbreviations and Definitions

This report uses several abbreviations for government-related agencies, terms, and functions. These abbreviations are defined as follows:

Abbreviation	Name	Definition
PSP	Pennsylvania State Police	The state law enforcement agency that operates and maintains PICS. Within its Firearms Division, the PSP conducts PICS background checks, maintains all records related to firearms licensing, transfers, and surcharge payments, and produces annual reports on PICS operations, statistics, and finances.

¹ See Comptroller General of the United States, Government Accountability Office. *Government Auditing Standards*. 2018 Revision. Paragraph 8.10. Note that the 2024 *Government Auditing Standards* revisions are not applicable until December 15, 2025.

Abbreviation	Name	Definition
PICS	Pennsylvania Instant Check System	Pennsylvania's state-operated firearms background check system, established under Act 1995-17, that queries federal and state databases to determine eligibility for firearm purchases or transfers.
FFL	Federal Firearms Licensee	A federally licensed firearms manufacturer, importer, or dealer. FFLs are required to initiate PICS background checks before transferring firearms to unlicensed individuals in Pennsylvania.
FBI	Federal Bureau of Investigation	The federal agency that operates the NICS and maintains the national databases (NCIC, III, and NICS Indices) that are queried by PICS during background checks.
ATF	Bureau of Alcohol, Tobacco, and Firearms	The federal agency that enforces firearms laws and receives referrals from PSP on attempted illegal firearms acquisitions flagged through PICS denials. The ATF coordinates investigations related to prohibited persons attempting firearms purchases.
UFA	Uniform Firearms Act	Pennsylvania's primary state statute governing firearms possession, sales, transfers, licensing, and background checks. Act 1995-17 amended the UFA to create PICS.
IVR	Interactive Voice Response	The automated telephone system component of PICS that allows FFLs and sheriffs to initiate PICS background checks.
NCIC	National Crime Information Center	An FBI-maintained national database containing criminal justice information, including warrants, stolen property, and other records queried by PICS to identify prohibiting factors. The NCIC includes files relevant to firearm prohibitions under federal and state law.
NICS	National Instant Criminal Background Check System	The FBI-operated federal system for firearms background checks, with which PICS interfaces as Pennsylvania's point-of-contact state to supplement state-level reviews. The NICS provides access to indices of prohibited persons and sets national standards for background checks.
III	Interstate Identification Index	An FBI system for sharing criminal history records across states, accessed by PICS to check for out-of-state convictions or other disqualifying factors.
OAG	Office of Attorney General	Pennsylvania's chief legal office that reviews and decides appeals from PICS denial challenges upheld by PSP, with further appeals possible to state courts. OAG handles final administrative determinations on eligibility disputes.
BSCA	Bipartisan Safer Communities Act	A federal law passed in 2022 that enhanced background check requirements for firearm purchasers under age 21, requiring additional outreach to local agencies and juvenile/mental health record reviews.
CBA	Corporate Business Account	A designated bank account used by PSP to receive electronic PICS surcharge payments from a third-party processor before remittance to the state Treasury. The CBA facilitates the collection of background check fees from FFLs.

Abbreviation	Name	Definition
SAP	Systems, Applications, and Products in Data Processing Network	The state Treasury's accounting system that records and manages deposits from PICS remittances, including transfers from CBAs and the Department of Revenue.
GGO	General Government Operations	State appropriation to the PSP, part of which is used to help fund PICS.
DOR	Department of Revenue	Pennsylvania agency responsible for recording and depositing paper PICS surcharge remittances.

Acknowledgments

We thank the Pennsylvania State Police for its cooperation and assistance with this report, specifically Major Kyle Teter (retired), Former Director of the Bureau of Records and Identification; Major Girard Hughes, Director of the Bureau of Records and Identification; and Lieutenant Shandra Keeler, Firearms Division Director.

Important Note

This report was developed by the Legislative Budget and Finance Committee staff, including Senior Analyst Matthew Thomas, Analyst Morgan Smith, and Intern Alexis Varner, who were assigned to the project. The release of this report should not be construed as an indication that the LBFC as a whole, or its individual members, necessarily concur with the report's findings, conclusions, or recommendations.

Any questions or comments regarding the contents of this report should be directed to the following:

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SECTION II BACKGROUND INFORMATION ON THE PENNSYLVANIA INSTANT CHECK SYSTEM



Fast Facts...

- ❖ *Act 1995-17 directed the Pennsylvania State Police to establish, maintain, and operate an instantaneous records check system for firearms purchases, now known as PICS.*
- ❖ *PICS background checks can be initiated using either the Interactive Voice Response (telephone) or Flexcheck (Internet) systems.*
- ❖ *The Pennsylvania State Police Firearms Division, which oversees PICS, had 154 authorized positions, with 136 filled, in May 2025.*
- ❖ *Pennsylvania was one of 15 full-point-of-contact states in 2024.*

The right to possess a firearm is among the preeminent civil liberties enshrined in the United States Bill of Rights. However, in recent decades, this right has been balanced by several iterations of federal and state gun safety legislation. The Brady Handgun Violence Prevention Act of 1994 provided the national mechanism to prevent convicted felons or other unlawful users from obtaining firearms in the United States. In response to this federal legislation, the commonwealth implemented the Pennsylvania Instant Check System (PICS) in 1998.

Historical Context and Overview of PICS

Although the federal Gun Control Act of 1968 prohibited convicted felons and other unlawful users from possessing firearms in the United States, there was no national mechanism to prevent these individuals from obtaining firearms until near the turn of the 21st century.² The Brady Handgun Violence Prevention Act of 1994 (hereafter “Brady Act”) required federal firearms licensees (FFLs) to request background checks for individuals attempting to purchase firearms and tasked the United States Attorney General with establishing the National Instant Criminal Background Check System (NICS). NICS allows FFLs to be immediately informed as to whether the receipt of a firearm by a prospective buyer/transferee would violate state or federal law.

In practice, the NICS can best be described as a partnership between the Federal Bureau of Investigation (FBI), the Bureau of Alcohol, Tobacco, and Firearms (ATF), and local and state governments. The Brady Act allows states autonomy to determine the degree to which they participate in NICS. Pennsylvania acts as a full point-of-contact state (discussed further in Section V), meaning the commonwealth serves as the primary intermediary between FFLs and NICS to conduct background checks on prospective firearms buyers.

Act 1995-17 (Act 17), which amended the portion of the Pennsylvania Crimes Code known as the Uniform Firearms Act (UFA), directed the Pennsylvania State Police (PSP) to establish, maintain, and operate an

² Other types of unlawful users include fugitives from justice, individuals who have unlawfully used a controlled substance, and individuals adjudicated as mentally defective or committed to a mental institution, among others.

instantaneous records check system for firearms purchases. In addition, Act 17 requires the PSP to:

- Establish a telephone number that can be used daily from 8:00 AM to 10:00 PM by licensed firearms manufacturers, importers, and dealers to initiate background checks.
- Distribute, free of charge, summaries of UFA and firearms safety brochures.
- Conduct criminal history, fingerprint, juvenile delinquency, and mental health record checks on all available and applicable state and federal databases.
- Inform the licensed firearms manufacturer, importer, or dealer making the PICS inquiry that the sale or transfer is denied or provide the licensee with a unique approval number.
- Allow anyone denied a firearm by a PICS background check to challenge the accuracy of criminal history, juvenile delinquency, or mental health records.
- Maintain the confidentiality of all information provided by a person undergoing a PICS check.³

The PSP subsequently developed PICS, which provides immediate access to background checks when individuals attempt to purchase or receive a transferred firearm or apply for a license to carry a firearm.

Over 2,800 licensed firearms dealers, as well as county sheriffs, are authorized PICS users in Pennsylvania. These users can contact PICS via the Interactive Voice Response (IVR) phone system or the Flexcheck Internet portal (as described below).

As part of the background check, PICS queries various federal and state databases. Federal databases, each maintained by the FBI, include:

- **National Crime Information Center (NCIC).** The NCIC index contains 21 criminal records files. Seven files relate to property crimes, such as stolen articles, boats, guns, license plates, parts, securities, and vehicles. The remaining 14 files, referred to as "person files," provide criminal histories on individuals, including records on protection orders, sex offender status, and gang or terrorist affiliations, among others.⁴
- **National Instant Criminal Background Check System (NICS) Indices.** The NICS is a centralized database containing records from local, state, and federal agencies on individuals who are

³ The requirements of the PSP can be found in § 6111.1 of Act 17.

⁴ The 14 person files contained within the NCIC are: Supervised Release; the National Sex Offender Registry; Foreign Fugitive; Immigration Violator; Missing Person; Protection Order; Unidentified Person; Protective Interest; Gang; Known or Appropriately Suspected Terrorist; Wanted Person; Identity Theft; Violent Person; and National Instant Criminal Background Check System (NICS) Denied Transactions.

federally prohibited from transferring firearms, known as “denied persons.” NICS indices also include records on individuals adjudicated as mentally defective or committed to a mental institution, controlled substance abusers, illegal or unlawful aliens, renounced citizens, and former armed services personnel who were dishonorably discharged.

- ***Interstate Identification Index (III)***. The III serves as a decentralized national criminal history record system that facilitates the exchange of information among local, state, federal, and tribal law enforcement agencies.

Pennsylvania databases queried by PICS include:

- PSP criminal history and fingerprint records.
- Juvenile delinquency records.
- Active protection from abuse orders.
- Mental health entries.
- Wanted or missing person files.
- Pennsylvania Department of Transportation Bureau of Motor Vehicles (BMV) records.

PICS Process

Interactive Voice Response. If using the IVR phone system, the caller, whether a licensed firearms dealer or county sheriff, begins the background check process by contacting the PICS toll-free number. Upon answering the call, the IVR will prompt the caller for a security code.⁵ The caller is next prompted to enter the applicant’s Pennsylvania driver’s license or photo identification card number and date of birth. Using this information, the IVR queries a database from the BMV, returning the applicant’s name and last four digits of the Social Security Number. Once the caller has verified this identifiable information, the IVR initiates the background check by querying the state and federal databases described above.⁶

If no prohibitive record is found, the IVR automatically approves the transaction and provides the caller with a unique approval number. However, if a potentially prohibitive record is identified, the IVR uses an automatic call distribution (ACD) system to transfer the caller to a PICS operator. After re-verifying the applicant’s information with the caller,

⁵ Callers using a rotary or pulse telephone or requesting a background check on a non-United States citizen or resident of another state, do not proceed with the automated PICS process using the IVR system. Instead, these callers are transferred to a PICS operator to assist with the background check request.

⁶ At this point in the PICS process, the IVR notifies callers that dealers are assessed a \$2 fee to conduct the background check. County sheriffs are not required to pay this fee.

the operator will review the records flagged by the background check. Three potential outcomes occur from this review:

1. If the information does not prohibit the transfer of a firearm, the operator will approve the transaction and provide the caller with a unique approval number.
2. If the information is determined to prohibit a firearm transfer, the operator denies the transaction. The caller must then provide the applicant with a copy of the PSP Challenge Form (discussed further below).
3. If PICS operators cannot obtain a timely resolution, they place the transaction into "research" status. PICS operators will continue to investigate the applicant's background and provide the caller with a determination within 15 days.

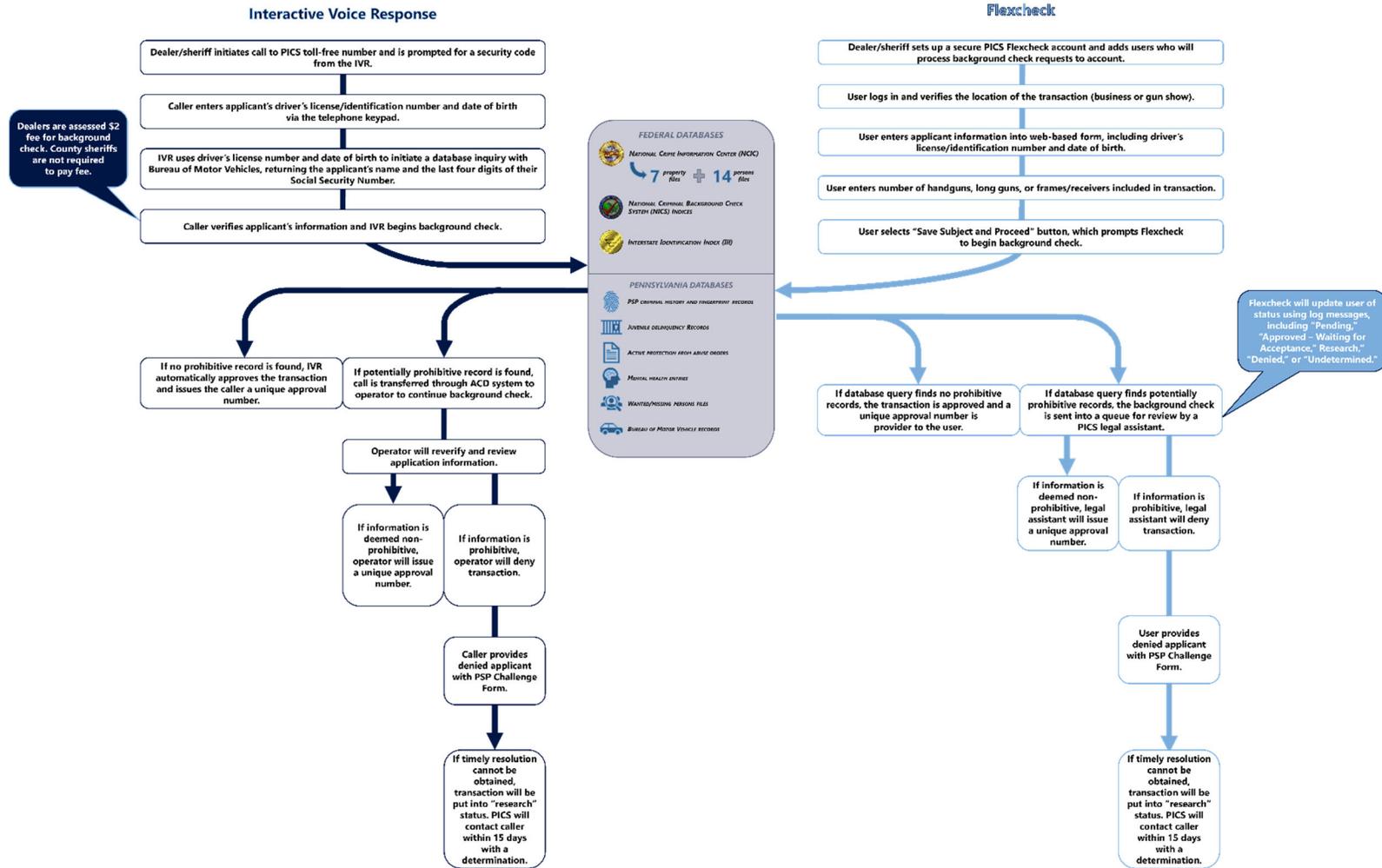
Flexcheck. To use the online Flexcheck system, licensed firearms dealers or county sheriffs must first create a secure account through PICS and add users who will process background check requests to the account. To initiate a background request, users log into the Flexcheck system and verify the location of the transaction, either a business or gun show. The user then enters the applicant's information, including driver's license or photo identification card number and date of birth, into Flexcheck's web-based form. After supplying the transaction details, such as the number of handguns, long guns, or frames/receivers, into the form, the user can prompt Flexcheck to begin the background check inquiries.

Much like the IVR, if no prohibitive record is found, Flexcheck will automatically approve the transaction and provide the user with a unique approval number. If potentially prohibitive records are discovered, the transaction goes into a queue for review by a PICS legal assistant. The legal assistant reviews the background check details in real time to reach a determination, similar to the process conducted by IVR operators. Throughout the background check process, Flexcheck provides the user with on-screen log messages indicating the review's status (e.g., "Pending," "Approved – Waiting for Acceptance," "Research," "Denied," or "Undetermined").

Exhibit 1 provides an overview of both the IVR and Flexcheck processes. Please note that each process in this illustration has been simplified for summary purposes.

Exhibit 1

PICS Process Overview^a



Note:

^a/This illustration has been simplified for summary purposes.

Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

PICS is intended to provide an instantaneous experience for the caller or user requesting a background check. However, according to the PSP, there are several reasons why a background check may require more investigation, causing a transaction not to be completed immediately. These reasons are detailed in Exhibit 2 below. Whereas NICS has only three days to further investigate background checks, PICS can review additional information for up to 15 days before reaching a determination.

Exhibit 2

Reasons Why PICS Background Check May Require Additional Investigation



Lack of numeric identifiers (date of birth, social security number, etc.) on record.



Individual with a similar name exists; fingerprints needed to make identification.



Research from another state on potentially prohibiting offenses is needed.



Research on missing criminal record disposition is needed.



Prior to 1983, local law enforcement agencies could submit criminal records to the FBI directly. As a result, older records may maintain conflicting or ambiguous information.

Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

Challenges and Appeals. Act 17 allows individuals who have been denied the right to receive, sell, transfer, possess, carry, manufacture, or purchase a firearm due to a PICS background check to challenge the accuracy of their criminal histories, juvenile delinquency histories, or mental health records. According to the PSP, when a transaction is denied due to an instant background check or the PICS 15-day investigative period results in an undetermined status, an applicant has 30 days to challenge the decision by filing a PSP Challenge Form with the PICS Challenge Section. In addition to the Challenge Form, applicants are encouraged to provide supplemental documentation (e.g.,

court records) for PSP review.⁷ Within 60 days, the PSP must conduct an in-depth investigation into the disqualification and respond to the applicant with a final decision.

If the PSP rules the challenge invalid, thus upholding the initial transaction denial, the applicant may appeal the decision to the Office of the Attorney General (OAG) within 30 days. OAG's decision may also be appealed to the Commonwealth Court, and eventually the Pennsylvania Supreme Court, for a final ruling.

Fees. Act 17 also establishes the fees assessed for the PICS background check process. These fees have remained unchanged since the instant check system was implemented in 1998.

Colloquially, PICS is referred to as having a \$5 surcharge. However, PICS' fee structure consists of two distinct charges, which, in some cases, can add up to more or less than \$5.⁸ The first fee, which is set at the statutorily allowable \$2 cap, applies to the cost of conducting the background check during a transaction.⁹ The second fee, known as the Firearm Sales Surcharge, applies a \$3 levy to each taxable firearm purchased in a transaction from a licensed dealer (i.e., purchasing two taxable firearms would result in a \$6 surcharge in addition to the \$2 background check fee). Further, non-taxable firearms are only assessed the \$2 background check fee and not the \$3 surcharge.^{10,11}

The revenue from these two fees is deposited in the Firearm Records Check Fund and is used to support PSP's PICS administrative costs, including conducting instant background checks, investigating criminal and court records, and monitoring licensee adherence to statutory requirements. Exhibit 3 provides a summary of PICS fees.

⁷ A copy of the Challenge Form can be found at: pa.gov/services/psp/submit-a-challenge-to-a-firearms-background-check-decision, accessed July 18, 2025.

⁸ For consistency, we will frequently refer to the two PICS fees together as the \$5 surcharge.

⁹ § 6111(b)(3) of the act specifies that licensed firearms dealers "be charged a fee equivalent to the cost of providing the service but not to exceed \$2 per buyer or transferee."

¹⁰ The fees discussed in this report are limited to those collected by the PSP for PICS. The PSP informed us that individual FFLs can assess additional fees at the point of purchase.

¹¹ Taxable firearms are any firearm sold directly from a dealer's inventory. Non-taxable firearms are those privately sold or transferred between two individuals. Private sales and transfers still require an FFL to process a PICS background check.

Exhibit 3

Summary of PICS Fees



Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

PICS Organizational Structure

The PSP Firearms Division fulfills PICS background checks. Located within the Bureau of Records and Identification, the Firearms Division maintains all records related to firearms licensing and transfers. As of May 2025, the Firearms Division had 154 authorized positions, 136 (88 percent) of which were filled.

The Firearms Division is organized into three sections:

- **Administrative Section.** The Administrative Section, also known as the Records and Compliance Section, is responsible for initiating and coordinating all firearm-related investigations involving dealer license compliance issues under state law. The section also handles all division-related special projects, maintains the automated systems, obtains statistical information from computer systems, identifies procedural modification requirements, coordinates division staff training programs, and responds to many firearm-related questions. The Firearm Records Unit and the Firearm Compliance Unit are within the Administrative Section.
- **Operations Section.** The Operations Section conducts background check requests for the purchase or transfer of firearms and applications for licenses to carry a concealed firearm. The section's other responsibilities include ensuring accurate identification of the subject of the background check, conducting evaluations and research of records, maintaining comprehensive documentation, keeping ongoing communication with firearm dealers and sheriffs, processing the mental health database, and updating Pennsylvania criminal history records with information obtained from research

conducted by PICS staff. The Firearm Instant Check Unit and the Firearm Training and Administration Unit are within the Operations Section.

- **Challenge Section.** The Challenge Section handles all PICS denial challenges submitted to the PSP, assuming research responsibilities and ultimately upholding or reversing the initial determination of the background check. The section also prepares case files for appeals through the Office of Attorney General, testifies at appeal hearings and relief hearings for restoration of firearms rights, and refers enforcement investigations to PSP Troops, local law enforcement, and the ATF involving individuals who knowingly and intentionally furnish false information in an attempt to acquire a firearm in violation of the UFA. The Firearm Challenge Unit, the Firearm Investigations Unit, and the Firearm Restoration Unit are within the Challenge Section.

Organizational charts and staff complement for the Firearms Division can be found in Appendix A.

Changes to PICS

Since our 2020 report, significant changes have been made to PICS in response to the federal Bipartisan Safer Communities Act (BSCA). Signed into law in 2022, the BSCA added new requirements in select cases of firearms purchases.

Most notably, the BSCA requires enhanced background checks for potential firearm transferees under the age of 21. The enhanced check are intended to determine if the individual has a juvenile criminal/delinquency history or juvenile mental health adjudications/commitments that may be disqualifying for the receipt or possession of firearms. When an individual under the age of 21 attempts to purchase a firearm from an FFL, the background check is immediately transferred to a PICS legal assistant to contact:

1. The criminal repository or juvenile information system of the state in which the person resides.
2. The appropriate state custodian of mental health adjudication records in the state where the person resides.
3. The local law enforcement agency of the jurisdiction in which the person resides, to determine whether the person has a possibly disqualifying juvenile or mental health record.

Under the BSCA, PICS has three business days to determine if a potential prohibiting juvenile criminal or mental health adjudication exists. If cause is found to exist, PICS has ten business days to determine if the receipt of a firearm by the applicant would violate federal, state, local, or tribal law. In addition to increased scrutiny on background checks for individuals under the age of 21, the BSCA also strengthened firearm prohibitions surrounding misdemeanor crimes of domestic violence (MCDV). Closing what was commonly referred to as the “boyfriend loophole,” dating relationships now qualify as a prohibiting relationship that will prevent a potential transferee from obtaining a firearm if they have been convicted of a disqualifying MCDV.¹² This new restriction only applies to convictions occurring on or after June 25, 2022.

¹² To be considered as a MCDV, the victim of the domestic violence must be a person whom the offender has dated.

SECTION III PICS FUNDING AND EXPENDITURES



Fast Facts...

- ❖ *The largest expense category for PICS is personnel services, totaling \$12.1 million in FY 2024-25.*
- ❖ *Since FY 2008-09, Firearm Records Check Fund revenue has never accounted for more than two-thirds of annual PICS spending.*
- ❖ *To fully fund PICS in FY 2024-25, the current \$5 background check fee would have needed to be increased to \$17.46.*
- ❖ *PSP is working with the Commonwealth Office of Digital Experience to transition its PICS payment processing solution, which is expected to be completed in mid-2026.*

Overview

This section reviews Pennsylvania Instant Check System (PICS) funding and expenditures. We also assess the adequacy of the \$5 surcharge in covering PICS program spending.^{13,14}

Key Findings

1. **PICS' financial statements did not include revenue from electronic payments for background checks, resulting in the exclusion of nearly \$14.5 million from the Firearm Records Check Fund (fund) since fiscal year (FY) 2013-14.** Including income from electronic payments with that of paper remittance (e.g., checks and money orders) would have increased the revenue in the fund by more than 100 percent in each year since FY 2021-22.
2. **Several operational oversights in the Pennsylvania State Police's (PSP) internal remittance and financial administration processes contributed to the exclusion of electronic payments from the fund for 12 years. Most notably, a breakdown in internal controls led to the omission of a standard transfer order to send payments from the agency's corporate business account (CBA) into the state Treasury's Systems, Applications, and Products in Data Processing (SAP) network.** The PSP took several corrective actions to address the issue and prevent it from recurring following the internal reconciliation of program revenue prompted by LBFC's inquiry.
3. **Even considering the inclusion of electronic remittances to the fund, the current \$5 surcharge has not been sufficient to fully fund PICS for well over a decade.** The fees for background checks have not increased since the implementation

¹³ While we tested the reliability of the material presented to us, we did not conduct an independent financial audit of the information provided by the PSP.

¹⁴ As noted in Section II, while the fees are informally referred to as a \$5 surcharge, payments to PICS consist of a \$2 fee charged to firearms dealers for each background check request they submit to the PSP and a \$3 Firearm Sales Surcharge on the sale of each taxable firearm.

of PICS in 1998, and we expect the surcharge to continue to fall short of program spending in the future.

4. **PICS expenditures rose by 51 percent during our review period, totaling approximately \$12.3 million in FY 2024-25.** The increase was primarily driven by personnel services, which constituted 97 percent of PICS spending for the previous five years. Most notably, the PSP increased its authorized staffing complement by 43 percent in calendar year 2022 to help ensure that PICS background check wait times meet the statutory requirements outlined in Act 1995-17 (Act 17).
5. **PICS background check fees accounted for less than one-third of the program's spending in FY 2024-25.** The revenue generated by the \$5 surcharge for the fund has remained relatively stable over the last decade, resulting in PICS spending outpacing surcharge revenue.

Recommendations

1. The General Assembly should consider amending Section 6111.2 of the Uniform Firearms Act to require the LBFC to include a performance audit of PSP's remittance process and procedures as part of its 2030 review of PICS fees.
2. The General Assembly should consider amending Section 6111.1(i) of the Uniform Firearms Act to require the PSP to include PICS surcharge revenue and program expenditure data as part of its Firearms Annual Report.
3. The General Assembly should consider amending the Uniform Firearms Act to enact a one-time increase of the PICS fees to \$17.50 and include language that will authorize an automatic adjustment of the surcharge rate commensurate with inflation every three years.

Issue Areas

A. PICS Expenditures

As shown in Exhibit 4, PICS expenditures totaled \$8.1 million in FY 2020-21 but rose by 51 percent to approximately \$12.3 million in FY 2024-25. The increase was primarily driven by personnel services, which accounted for 97 percent of PICS spending for our five-year observation period.

Personnel services expenditures rose from slightly under \$8 million in FY 2020-21 to \$12.1 million in FY 2024-25.

Exhibit 4

PICS Expenditures

Fiscal Year	Personnel Services	Operational Expenses	Total
2020-21	\$7,982,807	\$147,091	\$8,129,898
2021-22	7,872,962	257,650	8,130,613
2022-23	8,557,594	439,269	8,996,863
2023-24	10,180,445	208,330	10,388,774
2024-25	12,089,675	193,677	12,283,352

Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

Exhibit 5 details PICS expenditures by personnel services and operational expenses for the past five fiscal years.

Exhibit 5

Detailed PICS Expenditures

	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
Personnel Services					
Salaries	\$4,145,216	\$4,093,765	\$4,477,926	\$5,042,748	\$5,935,265
Shift Differential Pay	46,377	43,325	44,199	43,574	53,021
Higher Classification Pay	1,451	3,149	1,359	409	633
General Pay Increase – Cash Payment	1,350		24,766	5,263	8,627
Repay Salary Overpay				18	
Overtime	457,617	377,074	384,799	435,369	654,268
Retired Employee Health – Social Security	315,272	294,817	314,098	717,242	786,652
Hospitalization Insurance				38,857	34,503
Social Security Contributions	272,346	281,013	297,665	324,788	392,338
Medicare	64,530	65,732	69,615	77,743	93,490
Retirement Contributions	1,324,934	1,305,959	1,399,624	1,651,881	1,841,033
Workers' Compensation Payments	65,898	61,022	61,141	76,198	92,436
Life Insurance	9,288	9,663	10,084	9,869	11,251
Health Benefits	1,133,607	1,214,418	1,314,841	1,583,971	1,974,948
Unemployment Compensation	4,724	11,600		(459)	247
Leave Payout Assessment	140,197	108,866	147,075	167,305	209,713
Rewards/Bonuses		1,000			
Allowances		1,560	10,400	5,670	1,250
Subtotal – Personnel Expenses	\$7,982,807	\$7,872,962	\$8,557,594	\$10,180,445	\$12,089,675
Operational Expenses					
Travel	\$145	\$728	\$1,641	\$4,513	\$2,031
Training					168
Telecommunications - Recurring	30,795	33,599	33,309	35,605	33,506
Telecommunications - Voice		7,779			
Telecommunications - Data					
Managed IT Services	8			10	
Legal Services/Fees				4	
Specialized Services		45,762	256,269	200,182	8,127
Other Specialized Services	31,199	68,322	54,197	(119,636)	45,916
Software License Maintenance	42,250	69,290	38,997	60,395	90,593
Hardware Peripheral Maintenance					
Continued Maintenance Non-EDP			18,500		
Vehicles					
Office Equipment	4,688	2,440	2,236	2,116	2,056
Office Supplies					
Housekeeping Supplies					
Software License Procurement – Nonrecurring		2,342			
Hardware Peripheral					
Furniture/Fixtures					
Fuels					
Purchasing Card Purchases	38,005	27,387	34,119	25,141	11,281
Other Operating Expenses					
Subtotal – Operational Expenses	\$147,091	\$257,650	\$439,269	\$208,330	\$193,677
Total	\$8,129,898	\$8,130,613	\$8,996,863	\$10,388,774	\$12,283,352

Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

Changes in personnel spending were driven by an increase in staffing in the PSP Firearms Division. As noted in Section II, the PSP's authorized complement for PICS is 154, a 43 percent increase from its authorized complement of 108 in FY 2019-20. As of May 2025, 136 authorized positions were filled, a 36 percent increase from the division's 100 filled roles in FY 2019-20.

According to the PSP, the staffing increases, authorized in FY 2022-23, were needed to ensure that PICS background check wait times met the statutory requirements outlined in Act 17.¹⁵ Before the complement increase, Firearms Division staff frequently relied on overtime and adjusted scheduling during peak demand periods to prevent backlogs and maintain acceptable response times in the short term.

Additionally, the PSP made other organizational changes to address the growing operational demands of PICS while adhering to its statutory requirements, including:

- Adding a **Compliance Officer** position to monitor federal firearms licensees statewide, ensuring all firearm sales and transfers occur in accordance with Pennsylvania law and applicable regulations.
- Separating the **Firearms Investigations Unit** from the PICS Challenge Unit to enhance the PSP's ability to research background checks and prevent prohibited individuals from obtaining firearms. The Firearms Investigations Unit also received additional staff, which helped to reduce PICS's investigation referral backlog and allowed for further follow-up on case dispositions.
- Adding the **Restoration Unit** within the Challenge Section to perform comprehensive background investigations and legal reviews for individuals who request relief from their disqualifications from possessing firearms.

B. Adequacy of PICS Fees

Act 17 requires the LBFC to assess, every five years, the need to increase or decrease the fees imposed through PICS, based on data provided by PSP. Given the notable increase in program expenditures discussed

¹⁵ In 2022, Firearms Owners Against Crime (FOAC) v. PSP challenged that staffing shortages in the Firearms Division caused delays in firearm background checks, violating the "instantaneous" requirement under the Uniform Firearms Act. A May 2025 ruling by the Pennsylvania Supreme Court allowed plaintiffs to seek a declaration of PSP's duties to minimize delays through good-faith efforts (e.g., staffing increases), though it rejected fee refunds for delayed checks.

above, there is increased focus on the adequacy of the current \$5 surcharge.

PICS Fees and Other Funding Sources

PICS is funded through a combination of sources, including a dedicated state appropriation, the restricted Firearm Records Check Fund, and the PSP General Government Operations (GGO) appropriation. Exhibit 6 shows the amount of funding PICS received each year since 2020.

Exhibit 6

PICS Funding, by Source

Fiscal Year	Gun Checks Appropriation	Firearm Records Check Fund ^{a/}	PSP General Government Operations	Total
2020-21	\$4,400,000	\$142,250	\$3,587,648	\$8,129,898
2021-22	4,400,000	199,441	3,531,172	8,130,613
2022-23	5,970,000	195,274	2,831,588	8,996,862
2023-24	5,970,000	179,295	4,239,479	10,388,774
2024-25	7,582,000	181,295	4,520,057	12,283,352

Note: ^{a/} This figure represents the Firearm Records Check Fund revenue used to fund the PICS program annually, not the amount of surcharge revenue remitted and collected for the Fund each year.

Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

We found that the amount of Firearm Records Check Fund revenue used to fund PICS varies each year, ranging from a low of \$142,250 in FY 2020-21 to a high of \$199,441 the following year.¹⁶ According to the PSP, in addition to the annual sales volume, the use of Firearm Records Check Fund revenue also depends on available funding from the PSP GGO. If there is sufficient funding in GGO to cover PICS expenditures, the PSP will charge less to the restricted fund in order to preserve it for use in future years when GGO funding may be more limited or unavailable.

Also of note, the legislative gun check appropriation was raised from \$4.4 million to \$6.0 million in FY 2022-23, and then increased to \$7.6 million in FY 2024-25.

¹⁶ This figure represents the Firearm Records Check Fund revenue used to fund the PICS program annually, not the amount of surcharge revenue remitted and collected for the fund each year.

Discrepancies with Electronic Payments into the Firearm Records Check Fund

As we discuss below, PICS expenditures significantly outpaced instant check fee revenue during our observation period. This issue was further exacerbated by seemingly flat or, in some years, decreasing revenue from the Firearm Records Check Fund despite a steady or, in some years, increasing number of firearm sales/transfers. We inquired with the PSP about why the gap continued to grow. As noted previously, the increased expenditures could be attributed to personnel costs, but the decline in revenue could not be explained. LBFC's inquiry prompted the PSP to conduct an internal audit of the PICS program, focusing on revenue in the Firearm Records Check Fund.¹⁷ Ultimately, PSP's reconciliation showed that PICS financial statements did not include revenue from electronic payments for background checks, and only included revenue from paper remittance, since FY 2013-14. In other words, the PSP's financial statements and the amounts PSP reported to LBFC in past PICS reports underreported the total revenue received in the Firearm Records Check Fund.

Exhibit 7 compares the available revenue in the Firearm Records Check Fund as reported initially (paper remittance only) with the revenue in the fund once electronic payments are included.¹⁸ Without electronic payment remittances, nearly \$14.5 million was excluded from the fund since FY 2013-14. The amount of excluded revenue steadily increased over the last decade and exceeded \$2 million in each of the previous five years, coinciding with the decline in paper payments. The inclusion of fees from electronic payments increased fund revenue by more than 100 percent each year since FY 2021-22.

¹⁷ Specifically, this revenue reconciliation reviewed bank statements, merchant services payment processing statements, and surcharge remittance records from within the PSP, as well as those held by private financial institutions.

¹⁸ The available revenue in the Firearm Records Check Fund reflects the amount of money held in the fund following an account augmentation.

Exhibit 7

Changes to the Firearm Records Check Fund with the Inclusion of Electronic Payments

Fiscal Year	Firearm Records Check Fund Revenues (Paper Only)	Firearm Records Check Fund Revenues (Electronic Included)	Difference	Percent Change
2013-14	\$3,002,854	\$3,018,396	\$15,542	0.5%
2014-15	2,928,005	3,036,437	108,432	3.7
2015-16	3,647,198	3,798,139	150,941	4.1
2016-17	3,561,163	3,922,890	361,727	10.2
2017-18	2,910,030	3,649,778	739,748	25.4
2018-19	2,538,575	3,398,769	860,194	33.9
2019-20	2,538,831	3,916,881	1,378,050	54.3
2020-21	3,033,805	5,395,254	2,361,449	77.8
2021-22	2,061,640	4,302,654	2,241,014	108.7
2022-23	1,836,338	3,997,085	2,160,747	117.7
2023-24	1,510,101	3,570,364	2,060,263	136.4
2024-25	1,501,134	3,517,844	2,016,710	134.3
Total	\$31,069,675	\$45,524,492	\$14,454,818	46.5%

Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

Without LBFC’s inquiry, PSP did not realize that monies were not properly transferred from a corporate bank account (set up specifically for the collection of electronic PICS fees) to the Firearm Records Check Fund. Upon further investigation, it was revealed that PSP changed its payment processing vendor in February 2014, and as a result, fees from electronic payments for PICS background checks had been remitted and deposited in a separate bank account from fees collected via paper remittance (e.g., checks and money orders) for the last decade. While this discrepancy has existed since FY 2013-14, it has become more significant in the previous five years, coinciding with the increased use of electronic payments across the commonwealth.¹⁹

Issues Identified with the PICS Remittance Process.

Depending on the payment method (paper or electronic), PICS background check revenue undergoes several steps before the Firearm Records Check Fund receives the funds. The **intended** PICS remittance process operates as follows:

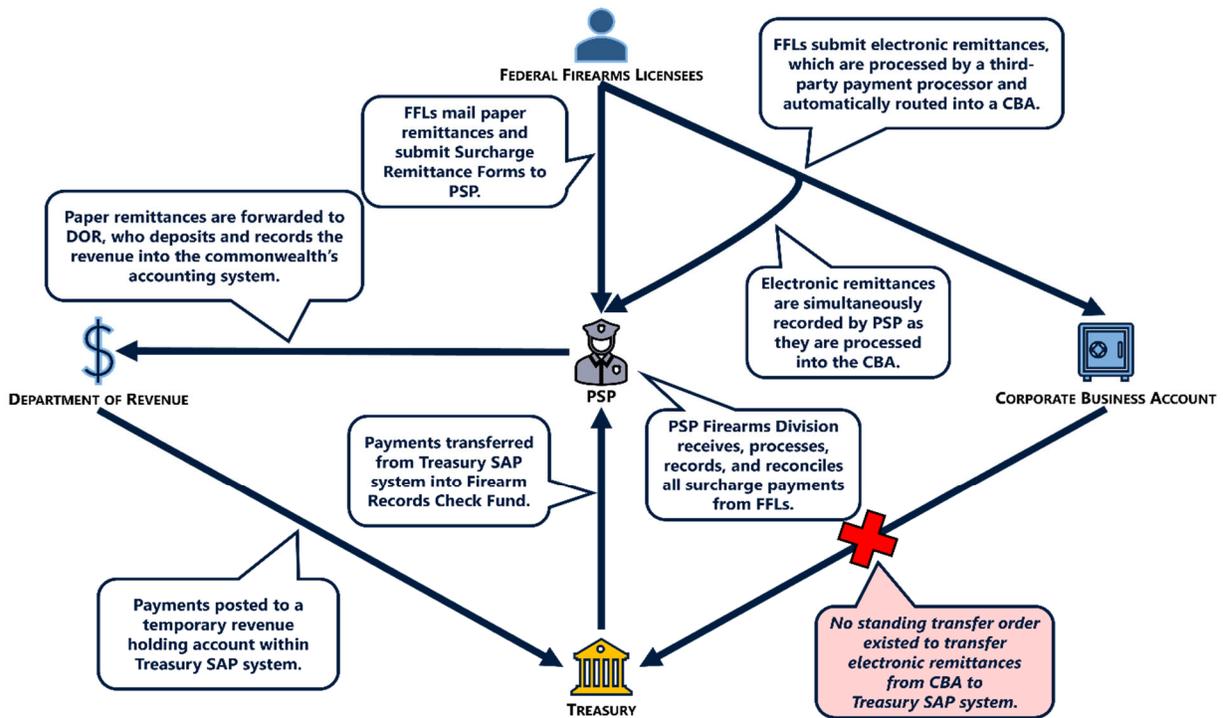
¹⁹ As a result, this discrepancy was present throughout the financial reporting in our 2015 and 2020 reviews of PICS.

- Federal firearms licensees (FFLs) submit surcharge payments, with the required Surcharge Remittance Form, to PSP.²⁰ Paper remittances are mailed from FFLs to PSP, which then records the information in its database management system. Electronic remittances are automatically routed by a third-party payment processor into a corporate business account (CBA). At the same time, the payment processor records the electronic remittances into PSP's database management system.
- After recording paper remittances, PSP sends paper checks and money orders to the Pennsylvania Department of Revenue (DOR) for deposit into the commonwealth's accounting system.
- Paper and electronic remittances are transferred from DOR's temporary holding account and the PSP's CBA, respectively, into an account within the state Treasury's Systems, Applications, and Products in Data Processing (SAP) network.
- The Treasury transfers all payments from its SAP system into the Firearm Records Check Fund.

Exhibit 8 illustrates the remittance process for PICS background check revenue.

Exhibit 8

PICS Fees Remittance Process



Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

²⁰ Surcharge payments most commonly occur on a monthly basis.

During its internal audit, PSP discovered that there was no standing transfer order to send electronic remittances from its CBA to the Treasury's SAP system.²¹ **As a result of a breakdown in internal controls, we found fees from electronic remittances were never transferred into the Firearm Records Check Fund and had accumulated in PSP's CBA for over a decade.**

We identified several other issues that contributed to the exclusion of electronic remittances from the Firearm Records Check Fund. As documented above, PSP's Firearms Division receives, processes, records, and reconciles all surcharge payments from FFLs. However, the Firearms Division was not cross-referencing financial figures collected from FFL submissions with disbursements from the Treasury into the Firearm Records Check Fund. This operational oversight explains how, despite conducting a "reasonableness check" on annual surcharge revenue, PSP did not identify that a significant portion of PICS fees was excluded from the Fund.²²

Further, PSP's Fiscal Office, not the Firearms Division, administers PICS spending. Combined with the fact that PSP prioritizes using its GGO appropriation to preserve the funding in the Firearm Records Check Fund (see Issue Area A), this segmentation of tasks within PSP created a lack of awareness among the Firearms Division regarding the amount of revenue within the fund that was available to spend.

Corrective Actions and Recommendations. Since LBFC's inquiry that led to the discovery of over \$14.5 million in untransferred money, PSP has taken several steps to address the internal control shortcomings that led to the exclusion of electronic remittances from the Firearm Records Check Fund.

First, in November 2025, PSP established a standard transfer order with the Treasury to send the balance of electronic remittances in the CBA, less \$1,000, to the Treasury's SAP system.²³ Electronic remittances held in the CBA are now transferred to the Treasury's SAP system on the 20th of each month.

Second, PSP revised its internal control process to include additional verification for remittance transfers. The Firearms Division's internal controls now feature:

²¹ According to PSP, the Treasury confirmed the monthly fee totals deposited into the CBA with the PSP Firearms Division. However, there was no other regularly occurring communication between PSP and the Treasury regarding the movement of the funds.

²² In addition to reconciling remittances for each FFL as payments were received, PSP also reviewed every FFL account annually to check the amount of remitted revenue against the number of PICS transactions reported. PSP then compared the statewide total number of PICS transactions with the surcharge revenue collected for the year.

²³ \$1,000 is held in the CBA as reserve funds for fees or any unexpected charges that may occur.

1. **Collection and Deposit of Remittances.** Firearms Administration Accounting Assistants collect, log, and deposit paper remittances.²⁴ Accounting Assistants maintain daily deposit logs, which are forwarded to a Firearms Administration Fiscal Technician Supervisor for review.
2. **Recording and Reconciliation.** Firearms Administration Accounting Assistants reconcile each FFL account and record all PICS transactions into PSP's database management system. The accounting assistants also prepare the Firearm Account Information Sheet for audit review.²⁵
3. **Internal Verification.** A Firearms Administration Fiscal Technician Supervisor conducts an internal verification of FFL accounts, ensures that account totals in the Firearm Records Check Fund match monthly records, and flags any discrepancies for review.
4. **Audit Review.** A Firearms Administration Auditor Supervisor performs the final review and verification of PICS yearly transaction totals, confirms the transfer of paper and electronic remittances, and ensures that all monies are correctly added to the Firearm Records Check Fund.
5. **Final Review and Fiscal Confirmation.** The Firearms Administrative Section Supervisor maintains oversight of PICS transaction totals and revenues throughout the internal review process. Additionally, the Firearms Administrative Section Supervisor communicates directly with the Firearms Division Director and the PSP Fiscal Office to confirm final account balances and resolve any discrepancies.²⁶

Finally, PSP informed us that it is working with the Commonwealth Office of Digital Experience to transition its payment processing solution to the automated, cloud-based SnapPay system.²⁷ By directly posting payments to the Treasury's SAP system, SnapPay will remove the need for a CBA and eliminate the manual processing of paper remittances. PSP anticipates full integration with SnapPay in mid-2026.

²⁴ As with PICS previous remittance procedures, electronic remittances are automatically logged in PSP's database management system.

²⁵ The Firearm Account Information Sheet is a report showing all approved and denied transactions an FFL ran over the past three years. Additionally, the report shows all transactions the FFL reported during the same time period from their posted remittances.

²⁶ The Firearms Division and the PSP Fiscal Office verify PICS revenues on a monthly basis.

²⁷ This payment processing update will eventually be implemented for all commonwealth executive branch agencies.

While it is encouraging that PSP acted quickly to implement new internal controls after discovering funds that were not properly transferred, we cannot yet assess their effectiveness.

As such, we recommend the following:

- 1. The General Assembly should consider amending Section 6111.2 of the Uniform Firearms Act to require the LBFC to include a performance audit of PSP’s remittance process and procedures as part of its 2030 review of PICS fees.**

- 2. The General Assembly should consider amending Section 6111.1(i) of the Uniform Firearms Act to require PSP to include PICS surcharge revenue and program expenditure data as part of its Firearms Annual Report.²⁸**

PICS Fees vs. Expenditures

While the inclusion of electronic remittances significantly increased the amount of available revenue in the Firearm Records Check Fund, instant check surcharge revenue was still outpaced by the increase in PICS expenditures during our observation period, as shown in Exhibit 9. Covering over 66 percent of PICS expenditures in FY 2020-21, Firearm Records Check Fund revenue accounted for under 30 percent of program spending in FY 2024-25.

Exhibit 9

Firearm Records Check Fund Revenue as a Percentage of PICS Expenditures

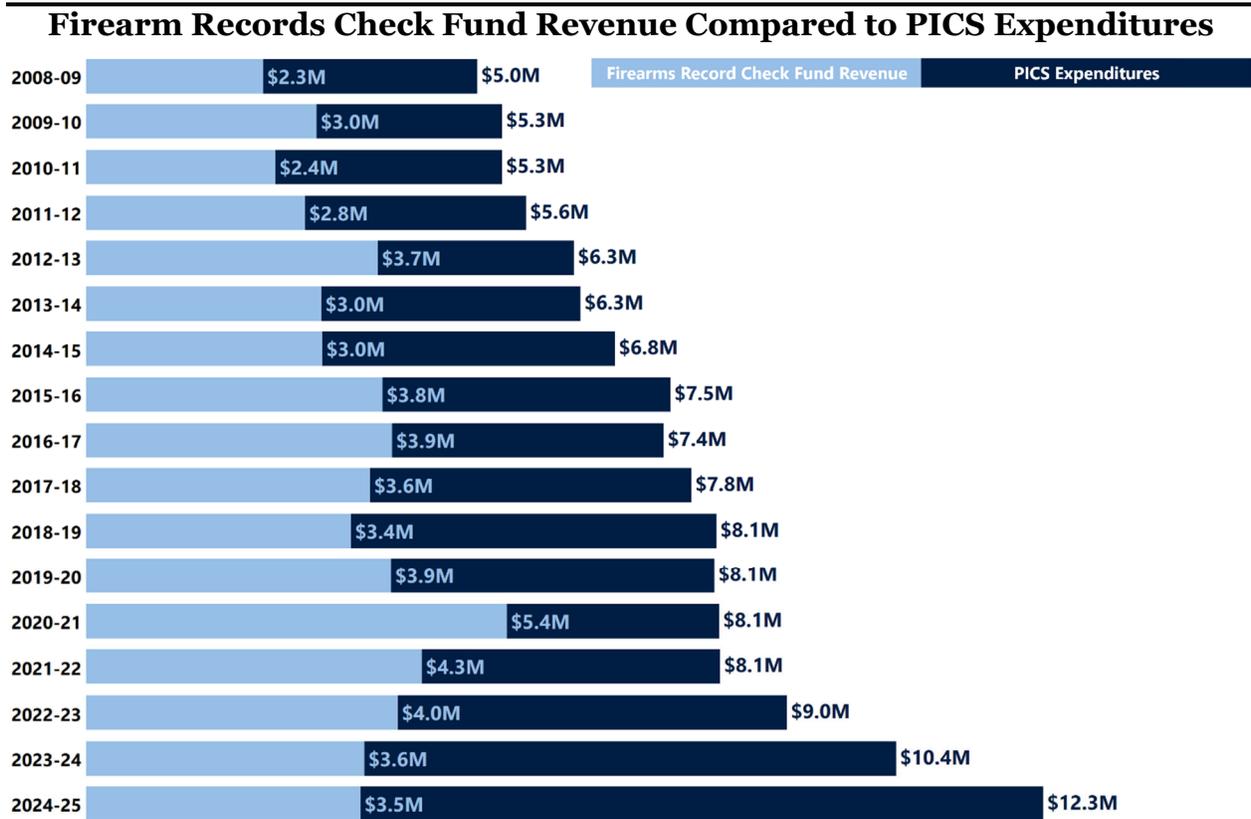
Fiscal Year	Firearm Records Check Fund Revenues	PICS Expenditures	Firearm Records Check Fund Revenues vs. PICS Expenditures
2020-21	\$5,395,254	\$8,129,898	66.4%
2021-22	4,302,654	8,130,613	52.9
2022-23	3,997,085	8,996,863	44.4
2023-24	3,570,364	10,388,774	34.4
2024-25	3,517,844	12,283,352	28.6

Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

²⁸ Currently, PSP is only required to report data pertaining to firearms sales, denied firearms sales, background check wait times, and firearms-related crimes to the General Assembly.

Exhibit 10 shows the Firearm Records Check Fund revenue as compared to PICS expenditures from FY 2008-09 through FY 2024-25. The Firearm Records Check Fund did not cover more than two-thirds of annual PICS expenditures during that period and has accounted for less than half of the program’s annual costs in 11 of the last 17 years.

Exhibit 10



Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

Despite the growing gap between PICS expenditures and surcharge revenue, the Firearm Records Check Fund's overall financial health has remained stable. As shown in Exhibit 11, the ending balance of the fund increased by over \$6 million in the last five years, from nearly \$3.6 million in FY 2020-21 to \$9.7 million in 2024-25.

Exhibit 11

Firearm Records Check Fund Financial Statement

	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
Beginning Balance	\$335,526	\$3,594,361	\$5,411,312	\$7,084,772	\$8,222,357
Revenues	3,033,805	2,061,640	1,836,338	1,510,101	1,501,134
Available Funds	3,369,331	5,656,001	7,247,651	8,594,874	9,723,491
Expenditures	(225,030)	244,689	162,878	372,516	6,779
Ending Balance	3,594,361	5,411,312	7,084,772	8,222,357	9,716,712

Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

In our 2020 report, we noted that instant check fees would need to be raised to \$16 to fully cover PICS's annual expenses. However, considering our discovery regarding the exclusion of electronic payments in the Firearm Records Check Fund, we revisited this analysis for each year since this issue was introduced into the PICS remittance process. Exhibit 12 shows the surcharge rate needed to fully fund PICS for FYs 2013-24 through 2024-25.

Exhibit 12

Fee Increases Necessary to Fully Fund PICS

Fiscal Year	Firearm Records Check Fund Revenues	PICS Expenditures	Firearm Records Check Fund Revenues vs. PICS Expenditures	Fee Needed to Fund PICS
2013-14	\$3,018,396	\$6,347,261	47.6%	\$10.51
2014-15	3,036,437	6,788,997	44.7	11.18
2015-16	3,798,139	7,503,787	50.6	9.88
2016-17	3,922,890	7,409,718	52.9	9.44
2017-18	3,649,778	7,767,378	47.0	10.64
2018-19	3,398,769	8,088,866	42.0	11.90
2019-20	3,916,881	8,061,118	48.6	10.29
2020-21	5,395,254	8,129,898	66.4	7.53
2021-22	4,302,654	8,130,613	52.9	9.45
2022-23	3,997,085	8,996,863	44.4	11.25
2023-24	3,570,364	10,388,774	34.4	14.55
2024-25	3,517,844	12,283,352	28.6	17.46

Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

Even with electronic remittances included in the Firearm Records Check Fund, we found that the current surcharge rate is inadequate to cover PICS expenses. This shortcoming is not surprising, given the notable increase in PICS spending (see Issue Area A), as well as the change in the dollar's purchasing power since Act 17's passage in 1995.²⁹ The \$5 surcharge, which has remained unchanged since PICS was implemented, has not been sufficient to fully fund the program for well over a decade. Further, with the rapidly evolving technological landscape and recent public emphasis on background check wait times, it is likely that program costs will continue to increase.³⁰

Therefore, we recommend that the General Assembly consider amending the Uniform Firearms Act to enact a one-time increase of the PICS fee to \$17.50 and also include language that will authorize an automatic adjustment of the surcharge rate commensurate with inflation every three years.

²⁹ According to data from the United States Bureau of Labor Statistics, to have the same purchasing power as the \$5 PICS fee had when the Act 17 was passed in June 1995, the surcharge would have needed to be increased to \$10.62 as of December 2025,

³⁰ PSP informed us that the agency will soon need to upgrade the phone system used for PICS, which it estimates will cost approximately \$1 million.

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SECTION IV REVIEW OF PICS OPERATIONAL STATISTICS



Fast Facts...

- ❖ *In 2024, 2,866 licensed firearms dealers accounted for 801,066 handgun, long gun, and frame/receiver transactions in Pennsylvania.*
- ❖ *Approximately 96 percent of all background check inquiries received approval at initial contact with PICS. Most often, these approvals occurred in less than one minute.*
- ❖ *The required PICS background checks have been responsible for the capture of 3,313 individuals with active warrants since the program's inception in 1998.*

Overview

Each year, the PSP publishes PICS operational data in its Firearms Annual Report. In this section, we review this data in areas related to firearms sales and transactions, instant check inquiries, PICS inquiry approval time, PICS-related arrests, system operation and down time, and background check denials, challenges, and appeals. We also review the new expanded PICS background check requirements for individuals under the age of 21 as required by the Bipartisan Safer Communities Act (BSCA).

Issue Areas

We divided our programmatic review of PICS into three sections: operational statistics, system operating hours and downtime, and PICS determination denials, challenges, and appeals.

A. PICS Operational Statistics Overview

Licensed Firearms Dealers, Firearm Sales and Transfers, and License to Carry Permits

As shown in Exhibit 13, there were 2,866 licensed firearms dealers in Pennsylvania in calendar year 2024. These dealers accounted for a total of 802,066 firearms sales and transfers, including 430,643 handguns, 345,036 long guns, and 26,387 frames/receivers.³¹ See Appendix B for a county-by-county breakdown of firearms sales and transfers.

³¹ In federal statute, a frame is defined as "The part of a handgun, or variants thereof, that provides housing or a structure for the component (i.e., sear or equivalent) designed to hold back the hammer, striker, bolt, or similar primary energized component prior to initiation of the firing sequence, even if pins or other attachments are required to connect such component (i.e., sear or equivalent) to the housing or structure." Receiver is defined as "The part of a rifle, shotgun, or projectile weapon other than a handgun, or variants thereof, that provides housing or a structure for the primary component designed to block or seal the breech prior to initiation of the firing sequence (i.e., bolt, breechblock, or equivalent), even if pins or other attachments are required to connect such component to the housing or structure." See 27 C.F.R. §478.12.

Additionally, 297,067 license to carry permits, which also require PICS background checks, were issued in 2024.

Exhibit 13

Number of PA Licensed Firearms Dealers and Related PICS Activities
 (Firearm Sales/Transfers and License to Carry Permits)

Calendar Year	Licensed Firearms Dealers	Firearms Sales and Transfers			Total	License to Carry Permits
		Handguns	Long Guns	Frames/Receivers		
2020	2,795	672,930	423,416	33,232	1,129,578	311,224
2021	2,891	599,813	412,135	33,942	1,045,890	384,522
2022	2,686	512,421	359,258	29,802	901,481	353,871
2023	2,822	458,554	355,594	29,336	843,484	335,975
2024	2,866	430,643	345,036	26,387	802,066	297,067

Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

Outcomes of Initial Instant Check Inquiries to PICS

As shown in Exhibit 14, 62.7 percent of all inquiries to PICS were automatically approved by the IVR/Flexcheck system in 2024. The remaining calls were forwarded to a PICS operator for assistance, after which, an additional 33.4 percent (of total inquiries) were also approved. Thus, 96.1 percent of background check inquiries received approval during initial contact with PICS. The remaining 41,704 inquiries were either denied or placed into research.³²

³² Once placed into research, the PICS unit has 15 days to provide a determination on a background check inquiry. In 2024, the PICS unit approved 15,991 firearm sales/transactions following additional research.

Exhibit 14

Initial Disposition of Inquiries Requesting PICS Background Checks

Calendar Year	Total PICS Inquiries ^a	Number Approved on Initial Contact			
		By IVR/Flexcheck		By Operator	
		Number	Percent (%)	Number	Percent (%)
2020	1,445,910	934,772	65.7	457,624	31.7
2021	1,402,610	908,287	64.8	440,639	31.4
2022	1,224,312	804,543	65.7	376,132	30.7
2023	1,149,931	755,950	65.7	349,688	30.4
2024	1,068,645	670,441	62.7	356,500	33.4

Note: ^aRepresents background checks requested by firearm dealers for firearm sales/transfers, sheriffs for license to carry permits, and firearm evidence returns.

Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

Bipartisan Safer Communities Act

In June 2023, the PSP began conducting expanded background checks for firearm transfers for individuals under 21 as required by the federal Bipartisan Safer Communities Act (BCSA).³³ In the first 18 months, PICS performed 21,998 expanded background checks on those under 21, resulting in 216 denials. However, only eight of these denials were due to the additional background requirements under the BSCA; the other 208 denials resulted from traditional NICS/PICS criteria.³⁴

Exhibit 15 shows the results from the first 18 months of the BSCA's expanded background checks for individuals under the age of 21.

³³ Section 6110.1 of the Uniform Firearms Act sets the minimum age to possess a firearm in Pennsylvania, with limited exceptions, at 18. However, federal law under 18 U.S.C. § 922(b)(1) prohibits federal firearms licensees (FFLs) from delivering a firearm other than a shotgun or rifle (i.e., a handgun) to individuals under the age of 21. Individuals between the ages of 18 and 21 can obtain a handgun from an unlicensed individual who resides in the same state, provided the person acquiring the handgun is not otherwise prohibited from receiving or possessing firearms under federal law. As noted in our 2020 report, private transfers of handguns in Pennsylvania (outside of those between husband/wife, parent/child, or grandparent/grandchild) must use an Application/Record of Sale form through an FFL that requires a PICS background check.

³⁴ There were also 281 undetermined dispositions during the first 18 months of the expanded background checks for individuals under the age of 21.

Exhibit 15

Expanded U21 Background Checks Under the BSCA

Time Period	Total U21	Denials	
	Background Checks Conducted	Expanded Outreach Required by BSCA	Traditional NICS Criteria
June 15 – December 31, 2023	8,459	5	61
2024	13,539	3	147

Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

Average PICS Inquiry Approval Time

Exhibit 16 shows the average background check processing times in minutes for inquiries automatically approved by the IVR and Flexcheck systems, as well as cases transferred to an operator and approved immediately. Automatic approvals via IVR and Flexcheck took an average of less than one minute in 2024. The average processing time with operator assistance varied significantly between the two systems in 2024, with phone approvals taking 14 minutes and web-based approvals taking 46 minutes.

Exhibit 16

Average PICS Background Check Times

Calendar Year	Average Background Check Time (Minutes)			
	IVR		Flexcheck	
	Automatically Approved	Operator-Assisted	Automatically Approved	Operator-Assisted
2020	0.8	39.5	1.8	48.8
2021	0.8	45.6	1.1	87.1
2022	0.2	23.3	0.3	73.9
2023	0.2	23.6	0.2	83.5
2024	0.2	14.0	0.2	46.0

Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

PICS-Related Arrests

Law enforcement authorities are notified immediately when a fugitive, identified through a PICS check, attempts to purchase a firearm. In 2024, law enforcement authorities captured 109 individuals with active warrants who were attempting to acquire firearms. Since its inception, PICS has

been responsible for the capture of 3,313 individuals with active warrants.³⁵

Additionally, the PSP can refer individuals for arrest who provide false information on the two documents required for a PICS background check, the Firearms Transaction Record and the Application/Record of Sale Form. In 2024, the PSP recorded 3,246 arrests of individuals who provided false information to PICS, resulting in 2,017 convictions.

Our review found that the number of arrests and convictions for falsifying information during PICS background checks increased in 2024 compared to previous years. Between 2020 and 2023, an average of 465 arrests and 172 convictions resulted from submitting falsified information to PICS each year. The PSP attributes this increase to federal grant funding it received from the NICS Act Record Improvement Program (NARIP). The grant provided the resources to support overtime for personnel dedicated to processing firearms investigations and conducting follow-up reviews of referred cases from previous years with unreported or pending dispositions.³⁶ As a result, many previously unresolved cases were updated and finalized throughout 2024. With this backlog of cases now addressed, the PSP anticipates the number of PICS-related arrests and convictions will stabilize in future years.

The PSP also shares information and coordinates investigative efforts with the federal Bureau of Alcohol, Tobacco, and Firearms (ATF) and municipal police departments in investigating and prosecuting individuals attempting to acquire firearms illegally. In 2024, the PSP Challenge Unit referred 7,844 files for investigation to:

- PSP Troops: 3,135.
- ATF: 395.
- Municipal police departments: 4,314.

³⁵ This figure includes data through 2024, as dispositions for 2025 were not finalized at the time of this report's release.

³⁶ The NARIP is a federal grant initiative established under the NICS Improvement Amendments Act of 2007. Administered by the US Department of Justice's Bureau of Justice Statistics, NARIP assists states, state court systems, tribal governments, and territories in enhancing the quality, completeness, automation, and timely submission of records to NICS. <https://bjs.ojp.gov/programs/nics-improvement-amendments-act>. Accessed November 5, 2025.

B. PICS Operating Hours and System Downtime

PICS Operating Hours

PICS operates every day of the year from 8:00 AM until 10:00 PM, which equates to 5,110 annual operating hours (5,124 operating hours during leap years in 2020 and 2024).

In 2024, PICS experienced service disruptions due to technical problems during 19.5 of its 5,124 operating hours (0.4 percent). Exhibit 17 provides a five-year breakdown of total operating time, system outages in hours, and the number of days affected.

Exhibit 17

PICS Operating Hours and System Downtime

Calendar Year	Total Potential Operating Hours	Total System Downtime (Hours)	Percent of Total	Number of Days Affected
2020	5,124	57.9	1.1	23
2021	5,110	28.0	0.5	17
2022	5,110	24.2	0.5	12
2023	5,110	35.3	0.7	20
2024	5,124	19.5	0.4	16

Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

Reasons for PICS Outages

According to PSP, PICS can suffer service disruptions for various reasons, including technical issues with federal databases, technical issues with PSP computer systems, or other unspecified technical difficulties (e.g., downed phone lines or power outages).³⁷ Furthermore, PICS can experience partial outages, in which either the IVR phone system or the Flexcheck web interface is taken offline while the other remains operational.

However, PICS outages are minimal. Of the 25,578 hours PICS was operational between 2020 and 2024, the system experienced only 164.9 hours (0.6 percent) of outages. Exhibit 18 shows PICS outage time by

³⁷ The PSP notes that instances occur when the IVR phone system is offline, yet the Flexcheck web interface is still able to process background checks or vice versa, depending on the nature of the problem.

year and type (federal databases, PSP databases, other technical difficulties).

Exhibit 18

Reasons for PICS Outages – Percentage of Total Outage Time

Year	Operating Hours	Federal Database Issues (Percent)	PSP Database Issues (Percent)	Other Technical Difficulties (Percent)
2020	5,124	23.7 (0.5%)	33.2 (0.6%)	1.0 (0.0%)
2021	5,110	12.3 (0.2)	9.9 (0.2)	5.8 (0.1)
2022	5,110	9.5 (0.2)	14.7 (0.3)	0 (0.0)
2023	5,110	27.7 (0.5)	7.6 (0.1)	0 (0.0)
2024	5,124	7.3 (0.1)	12.2 (0.2)	0 (0.0)

Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

Overall, the annual number of outage hours decreased over our five-year observation period, from 57.9 hours in 2020 to 19.5 hours in 2024. On average, PICS experienced service disruptions for 33 hours each year.

C. Denials, Challenges, and Appeals

PICS Initial Denials and Challenges

Exhibit 19 provides a summary of the total number of initial denials issued by PICS each year, as well as the subsequent number of denials that were challenged. In 2024, 19,254 of the nearly 1.1 million PICS inquiries were initially denied. Equating to 1.8 percent of total inquiries for the year, PICS' initial denial rate is slightly higher than the NICS initial denial rate of 1.1 percent for the same period.³⁸ Since 2020, 28 percent of PICS denials, on average, have been challenged each year.

³⁸ FBI. National Instant Criminal Background Check System Section 2024 Operational Report. July 2025.

Exhibit 19

Initial PICS Denials and Challenges

Calendar Year	Total PICS Inquiries	Total Number of Initial Denials Issued by PICS	Initial Denials/Total Inquiries (%)	Denials Challenged	
				Number of Denials Challenged	Challenges/Initial Denials (%)
2020	1,445,910	31,490	2.2	9,933	31.5
2021	1,402,610	31,918	2.3	7,399	23.2
2022	1,224,312	24,998	2.0	6,879	27.5
2023	1,149,931	21,006	1.8	5,927	28.2
2024	1,068,645	19,254	1.8	5,488	28.5

Source: Developed by LBFC staff from information obtained from the Pennsylvania State Police.

PICS Appeals Actions

As discussed in Section II, denials upheld by the PICS Challenge Section may be appealed successively to the Office of Attorney General (OAG), the Commonwealth Court, and finally the Pennsylvania Supreme Court. Since our 2020 report, the PSP has ceased reporting the disposition of appeals in its Firearms Annual Report in order to prevent the duplication of records, as the status of appeal cases may change depending on when reports are produced (e.g., a case filed with OAG is later heard by the Commonwealth Court would appear in the case counts for both entities).

In 2024, 55 challenge appeals were initiated with OAG. Of these, one denial was overturned, 17 were upheld, and the remainder were canceled, dismissed, or are awaiting a decision.

SECTION V INSTANT BACKGROUND CHECKS IN OTHER STATES



Fast Facts...

- ❖ *Pennsylvania was one of 15 states considered full point-of-contact states in 2024.*
- ❖ *Fees for first-time gun buyers in full point-of-contact states can range between \$2 and approximately \$237.*

Overview

In practice, the National Instant Criminal Background Check System (NICS) is a national partnership between the Federal Bureau of Investigation (FBI), the Bureau of Alcohol, Tobacco, and Firearms (ATF), and local and state governments. The Brady Act allows states autonomy to determine the degree to which they participate in NICS. As a full point-of-contact (POC) state, Pennsylvania has designated the Pennsylvania State Police (PSP) to serve as the primary intermediary between federal firearms licensees (FFLs) and NICS to conduct background checks on prospective firearms buyers.

This section provides an overview of NICS participation in other jurisdictions across the US, including a summary of fees charged by other full-POC states.

Issue Areas

A. NICS Participation in Other States

As noted in Section II, the Brady Act allows states autonomy to determine the degree to which they participate in NICS. States are grouped in one of three categories regarding their interactions with the federal background check databases:

- **Non-Point of Contact (POC) States.** In non-POC states, no state or local law enforcement agency serves as the contact point between FFLs and NICS. The FBI's NICS Section determines eligibility for all prospective firearm purchases and transfers occurring at FFLs. As of 2024, 31 states, the District of Columbia, and the territories of the United States were non-POC states.³⁹
- **Full-POC States.** In full-POC states, a designated state or local law enforcement agency serves as the contact point between FFLs and NICS. It makes eligibility determinations for all

³⁹ 2024 was the last year of full operational data from the FBI.

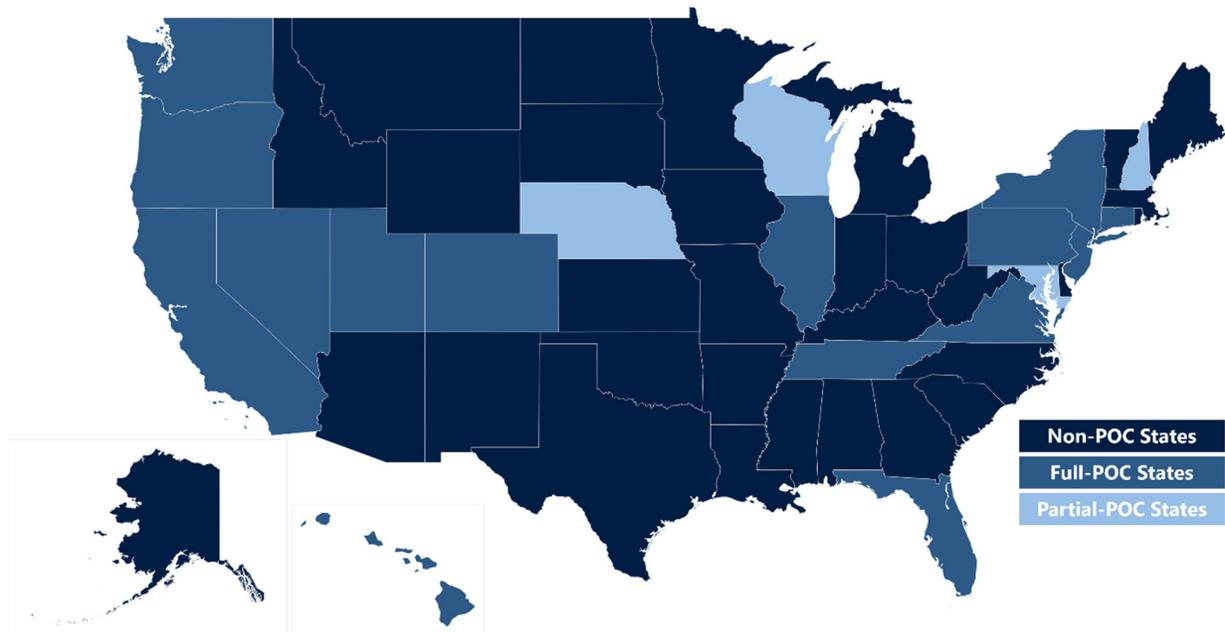
prospective firearm purchases and transfers within its state. Fifteen states, including Pennsylvania, were full-POC states in 2024.

- **Partial-POC States.** In partial-POC states, the FBI and a designated state agency share responsibility for processing NICS background checks for firearm purchases and transfers. In 2024, four states, Maryland, New Hampshire, Nebraska, and Wisconsin, determined eligibility for handgun transfers occurring at FFLs or processed state-issued handgun permits while the FBI processes background checks for long gun transfers.⁴⁰

Exhibit 20 shows the POC status of each state and the District of Columbia as of 2024.

Exhibit 20

NICS Participation Status by State (2024)



Source: Developed by LBFC staff from information obtained from the Federal Bureau of Investigation.

⁴⁰ FBI. National Instant Criminal Background Check System Section 2024 Operational Report. July 2025.

B. Fees Charged in Full Point-of-Contact States

The process to verify firearms purchases in full POC states varies across the US. Through PICS, Pennsylvania applies a uniform \$2 fee at the point of sale for each firearm, plus a \$3 surcharge per taxable firearm. Some states employ a more simplified structure, assessing a single fee for each firearm transaction. However, other states utilize more complex models, mandating permits, fingerprint testing, and safety training, among other requirements, to purchase a firearm. Further, four of the 15 full-POC states have distinct requirements for purchasing handguns and long guns.

In an attempt to provide as universal a comparison as possible, we determined the cost for **first-time** gun buyers in each of the 15 full-POC states, as shown in Exhibit 21 below.⁴¹ As a result of the variation discussed above, the fees to purchase firearms in full-POC states range widely, from as low as \$2 to as high as approximately \$237, excluding the cost of the firearm.⁴²

⁴¹ In some instances, certain requirements (e.g., purchasing permits or fingerprints) may be waived for repeat purchasers who have already completed the full background check process in a given state. We also based costs on the fees applied to in-state residents of each full-POC state. For example, Virginia has separate costs for in-state residents versus non-residents purchasing a firearm.

⁴² As in our last report, the FBI still does not charge a fee for NICS background checks in non-POC states. In partial-POC states, the fees to purchase a handgun are: Maryland - \$110; New Hampshire - \$0; and Wisconsin - \$10. The FBI conducts background checks for long guns at no cost in partial-POC states.

Exhibit 21

Requirements and Fees for First-Time Gun Buyers in Full-POC States^a

State	Handgun				Long Gun			
	Total Fees	Fee Details	Timing of Fees	Fee Structure	Total Fees	Fee Details	Timing of Fees	Fee Structure
California	\$62.19	<ul style="list-style-type: none"> \$37.19 Dealer's Record of Sale Fee and Safety Fees \$25 Firearm Safety Certificate Program (one-time safety certificate required for all purchases) 	At Purchase	Per Firearm (minus Firearm Safety Certificate)	Same as Handgun			
Colorado	\$15.00	<ul style="list-style-type: none"> \$15 Instant Check Fee 	At Purchase	Per Transaction	Same as Handgun			
Connecticut	\$227.00	<ul style="list-style-type: none"> \$227 Pistol Permit (includes \$70 local temporary permit + \$75 fingerprints + \$12 NICS check + \$70 state check) 	Before Purchase	Permit-Based	\$122.00	<ul style="list-style-type: none"> \$122 Long Gun Eligibility Certificate (\$35 application + \$75 fingerprints + \$12 NICS check) 	Before Purchase	N/A (Permit-Based)
Florida	\$5.00	<ul style="list-style-type: none"> \$5 Florida Department of Law Enforcement (FDLE) Background Check 	At Purchase	Per Transaction	Same as Handgun			

State	Handgun				Long Gun			
	Total Fees	Fee Details	Timing of Fees	Fee Structure	Total Fees	Fee Details	Timing of Fees	Fee Structure
Hawaii	\$52.00	<ul style="list-style-type: none"> \$10 Handgun Permit \$42 Fingerprints/Check (one-time for first purchase) 	Before Purchase	N/A (Permit-Based)	Same as Handgun			
Illinois	\$10.00	<ul style="list-style-type: none"> \$10 Firearm Owners Identification (FOID) Card (one-time) 	Before Purchase	N/A (Permit-Based)	\$12.00	<ul style="list-style-type: none"> \$10 FOID \$2 Validation Check at Sale 	<ul style="list-style-type: none"> FOID before Purchase Validation at Purchase 	<ul style="list-style-type: none"> N/A for FOID Per Transaction for \$2 Validation
Nevada	\$25.00	<ul style="list-style-type: none"> \$25 Brady Check 	At Purchase	Per Transaction	Same as Handgun			
New Jersey	\$164.00	<ul style="list-style-type: none"> \$83.50 Firearms Purchaser Identification Card (FPIC) (\$5 application + \$21 check + \$57.50 fingerprints) \$80.50 Permit to Purchase a Handgun (PTPH) per Handgun (\$2 permit + \$21 check + \$57.50 fingerprints, if needed) 	Before Purchase	N/A (Permit-Based)	\$83.50	<ul style="list-style-type: none"> \$83.50 FPIC 	Before Purchase	N/A (Permit-Based)

State	Handgun				Long Gun			
	Total Fees	Fee Details	Timing of Fees	Fee Structure	Total Fees	Fee Details	Timing of Fees	Fee Structure
New York	~\$237.25	<ul style="list-style-type: none"> • ~\$140 County Pistol Permit (fees vary) • \$88.25 Fingerprints • \$9 Background Check 	<ul style="list-style-type: none"> • Permit Before Purchase • Check at Purchase 	<ul style="list-style-type: none"> • N/A for Permit • Per Firearm for \$9 Background Check 	\$9.00	<ul style="list-style-type: none"> • \$9 Background Check 	At Purchase	Per Firearm
Oregon	\$10.00	<ul style="list-style-type: none"> • \$10 Firearm Instant Check System (FICS) Background Check 	At Purchase	Per Transaction	Same as Handgun			
Pennsylvania	\$5.00	<ul style="list-style-type: none"> • \$5 (\$2 PICS check + \$3 surcharge per firearm) 	At Purchase	<ul style="list-style-type: none"> • Per Transaction for \$2 PICS Check • Per Taxable Firearm for \$3 Surcharge 	Same as Handgun			
Tennessee	\$10.00	<ul style="list-style-type: none"> • \$10 Tennessee Instant Check System (TICS) Check 	At Purchase	Per Transaction	Same as Handgun			
Utah	\$12.50	<ul style="list-style-type: none"> • \$12.50 Brady Check 	At Purchase	Per Transaction	Same as Handgun			

State	Handgun				Long Gun			
	Total Fees	Fee Details	Timing of Fees	Fee Structure	Total Fees	Fee Details	Timing of Fees	Fee Structure
Virginia	\$2.00	• \$2 Criminal History Check	At Purchase	Per Transaction	Same as Handgun			
Washington	\$18.00	• \$18 Background Check	At Purchase	Per Transaction	Same as Handgun			

Note:

^{a/}Costs shown are for in-state residents of each full-POC state. Additional local or retail fees may apply in select jurisdictions.

Source: Developed by LBFC staff from information obtained from respective state agency websites.

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APPENDICES



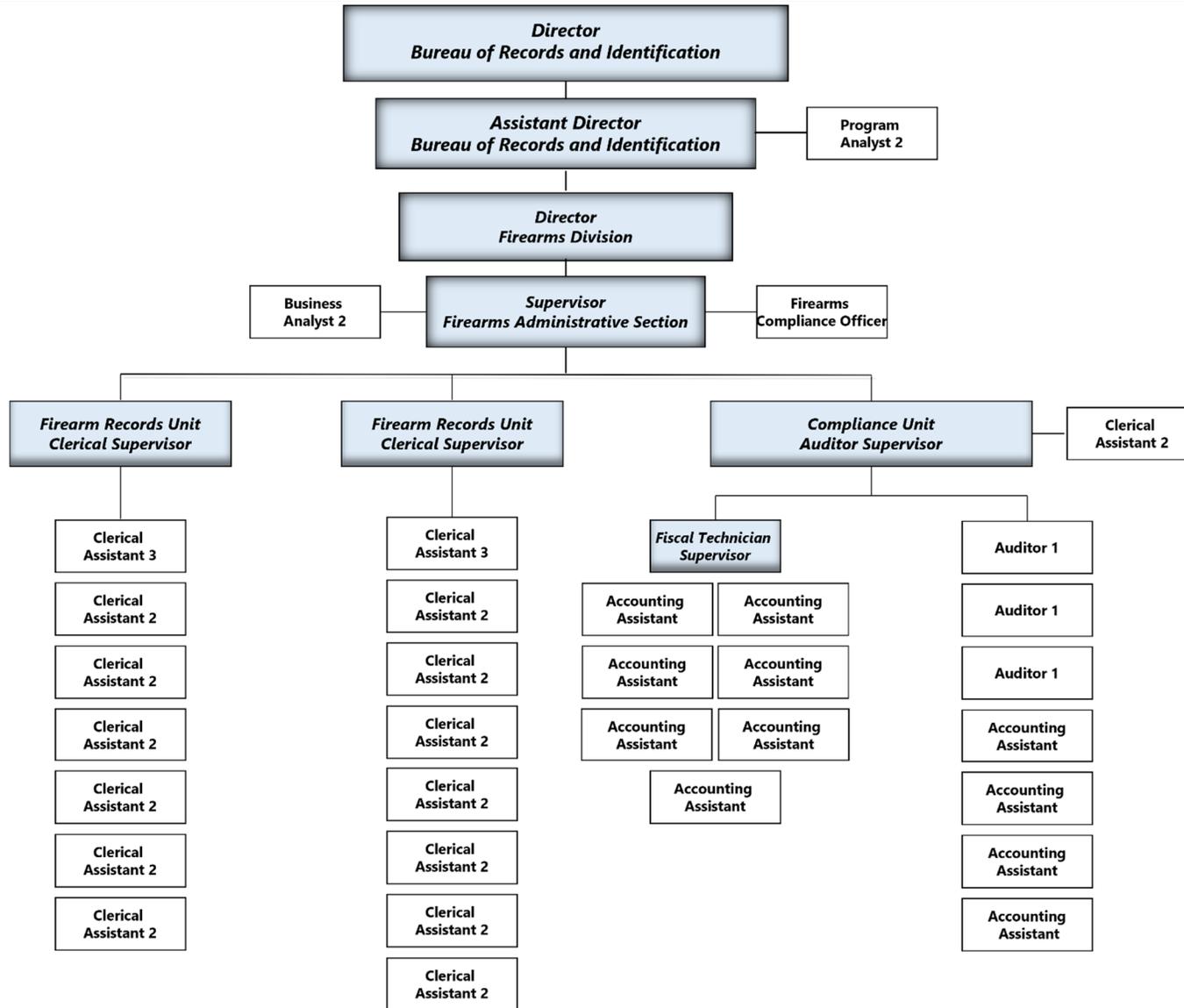
Appendix A – PSP Firearms Division Staffing

Firearms Division Staff Complement

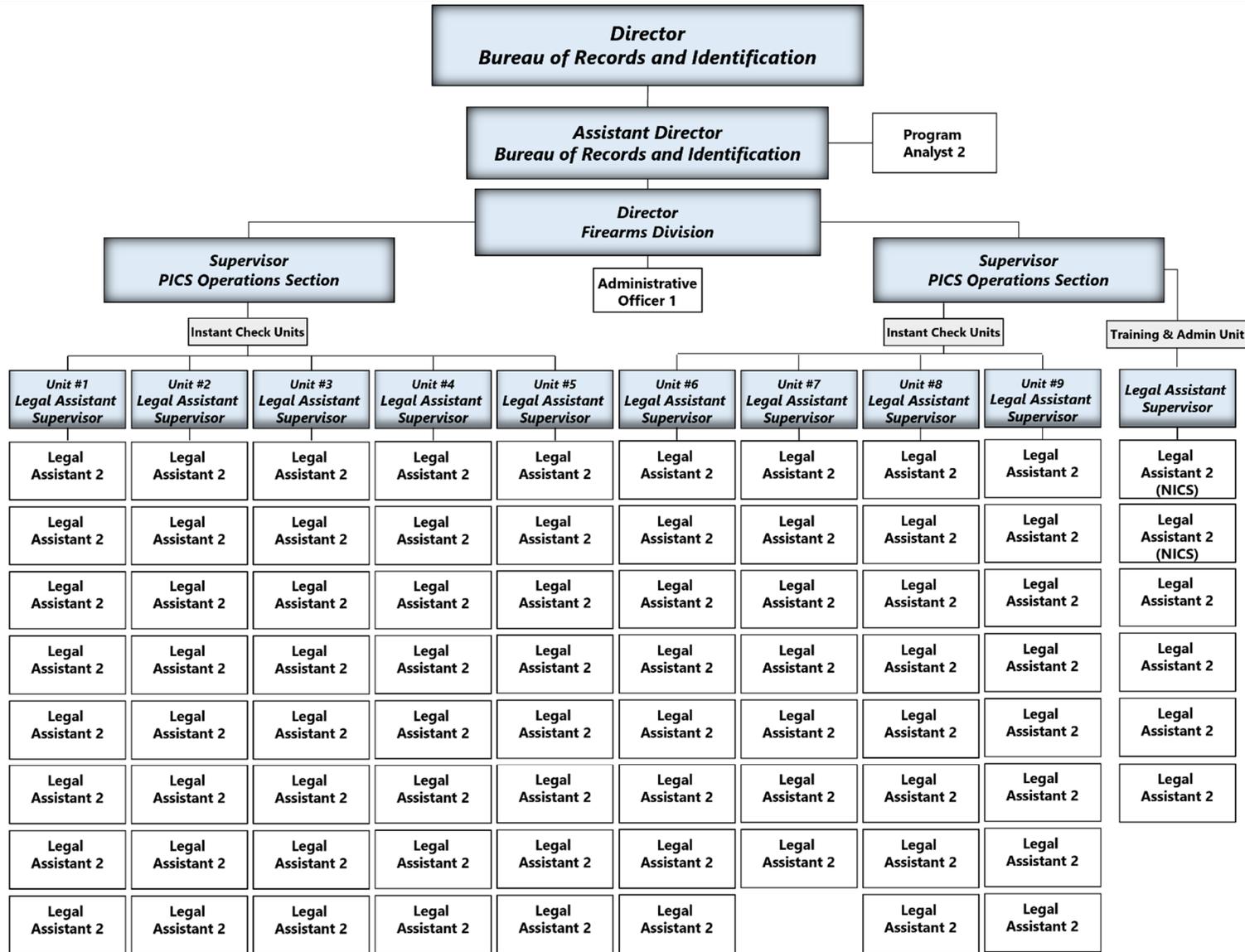
	Total Authorized	Filled Positions	Vacant Positions
Division Director's Office	1	1	0
Administrative Section			
Section Supervisor	1	1	0
Compliance Officer	1	1	0
Business Analyst	1	1	0
Firearm Records Unit			
Clerical Supervisor	2	2	0
Clerical Assistant 3	2	2	0
Clerical Assistant 2	13	13	0
<i>Unit Subtotal</i>	<i>17</i>	<i>17</i>	<i>0</i>
Firearm Compliance Unit			
Auditor Supervisor	1	1	0
Auditor I	3	2	1
Fiscal Technician Supervisor	1	1	0
Accounting Assistant	11	11	0
Clerical Assistant 2	1	1	0
<i>Unit Subtotal</i>	<i>17</i>	<i>16</i>	<i>1</i>
Administrative Section Subtotal	37	36	1
Operations Section			
Section Supervisor	2	2	0
Instant Check Unit			
Legal Assistant Supervisor	9	9	0
Legal Assistant 2	76	60	16
Administrative Officer 1	1	1	0
<i>Unit Subtotal</i>	<i>86</i>	<i>70</i>	<i>16</i>
Training and Administration Unit			
Legal Assistant Supervisor	1	1	0

Legal Assistant 2 Trainer	3	3	0
Legal Assistant 2 NICS	2	2	0
Legal Assistant 1	1	1	0
<i>Unit Subtotal</i>	<i>7</i>	<i>7</i>	<i>0</i>
Operations Section Subtotal	95	79	16
<i>PICS Challenge Section</i>			
Section Supervisor	1	1	0
Challenge Unit			
Legal Assistant Supervisor	2	2	0
Legal Assistant 2	9	8	1
<i>Subtotal</i>	<i>11</i>	<i>10</i>	<i>1</i>
Investigations Unit			
Legal Assistant Supervisor	1	1	0
Legal Assistant 2	5	5	0
<i>Subtotal</i>	<i>6</i>	<i>6</i>	<i>0</i>
Restoration Unit			
Legal Assistant Supervisor	1	1	0
Legal Assistant 2	2	2	0
<i>Subtotal</i>	<i>3</i>	<i>3</i>	<i>0</i>
PICS Challenge Section Subtotal	21	20	1
<i>Firearms Division Total</i>	<i>154</i>	<i>136</i>	<i>18</i>

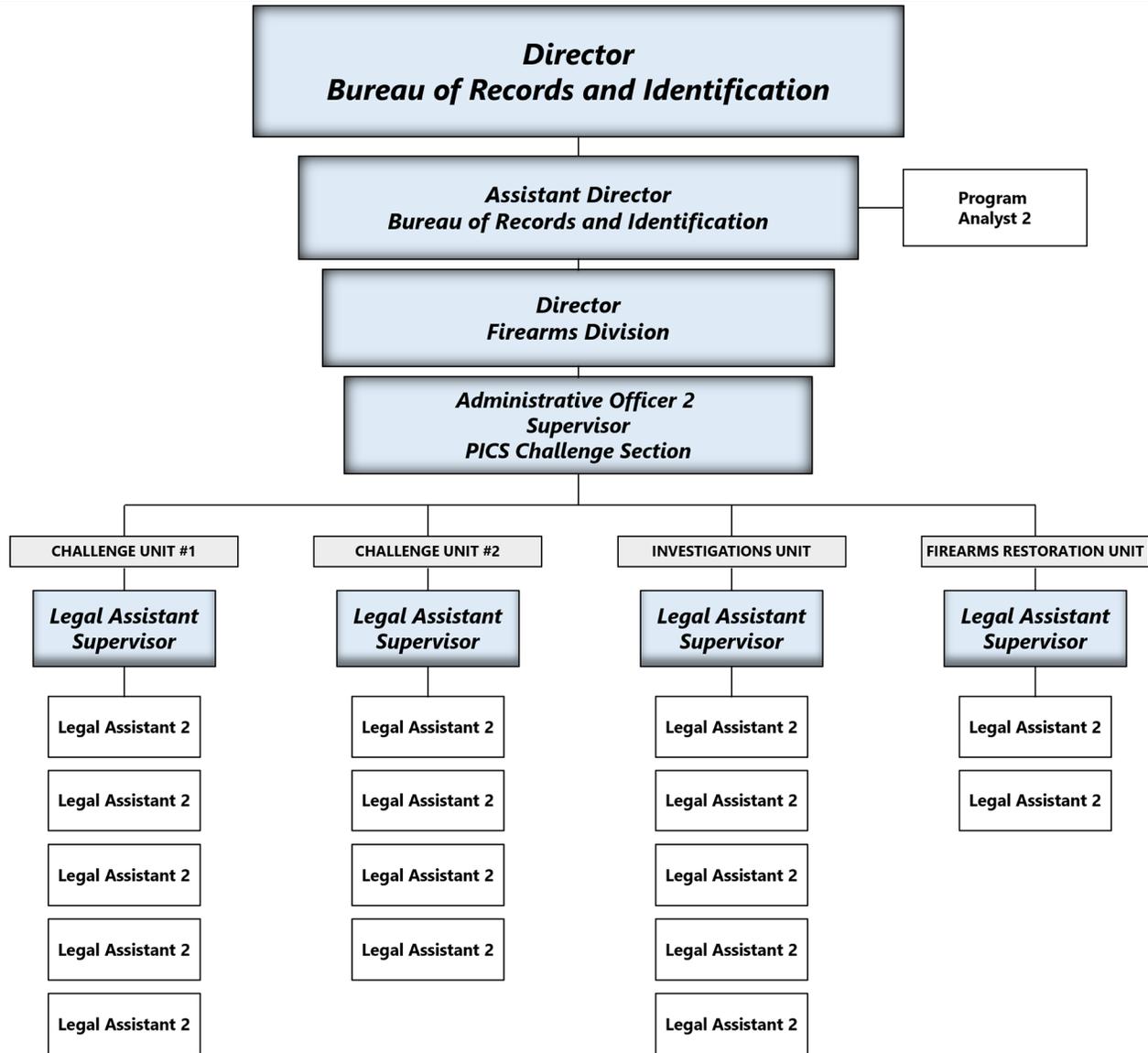
Administrative/Records and Compliance Section Organizational Chart



Operations Section Organizational Chart



Challenge Section Organizational Chart



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Appendix B – Reported Firearms Sales/Transfers by County (2020-24)

County	2020		2021		2022		2023		2024		County Five-Year Total (2020-24)	
	Hand Gun	Long Gun	Hand Gun	Long Gun								
Adams	7,311	6,679	8,008	7,382	6,323	6,963	5,956	6,656	5,464	6,719	33,062	34,399
Allegheny	50,797	21,936	42,684	20,812	38,874	18,999	37,560	19,229	36,669	18,695	206,584	99,671
Armstrong	3,074	1,977	2,760	1,828	2,413	1,801	2,528	1,801	2,199	1,712	12,974	9,119
Beaver	8,829	4,899	6,077	4,464	5,083	3,217	4,453	3,034	4,295	3,326	28,737	18,940
Bedford	5,221	5,704	3,957	5,823	3,388	4,580	2,746	4,095	2,501	3,838	17,813	24,040
Berks	25,236	16,744	23,265	17,549	21,397	15,010	19,391	14,502	17,586	14,412	106,875	78,217
Blair	10,162	6,928	9,802	7,418	7,270	6,206	7,011	6,242	6,670	6,333	40,915	33,127
Bradford	5,048	6,387	4,263	6,210	3,480	5,493	3,399	5,911	2,957	5,936	19,147	29,937
Bucks	52,723	20,892	49,051	22,011	44,932	19,156	36,701	17,215	37,127	17,850	220,534	97,124
Butler	14,568	10,390	10,830	8,455	9,330	7,436	8,940	7,052	8,153	6,697	51,821	40,030
Cambria	9,439	6,576	8,241	6,057	6,793	5,485	6,021	5,393	5,498	5,032	35,992	28,543
Cameron	102	58	63	49	45	28	40	26	70	50	320	211
Carbon	1,783	1,433	1,355	1,246	1,419	1,167	1,250	1,119	902	748	6,709	5,713
Centre	8,140	5,988	8,125	6,174	6,413	5,426	5,719	5,453	5,303	4,795	33,700	27,836
Chester	15,614	8,142	14,247	8,246	12,969	7,419	14,063	8,127	13,204	7,255	70,097	39,189
Clarion	3,399	3,866	2,994	3,804	2,871	3,602	2,788	3,724	2,348	3,164	14,400	18,160
Clearfield	13,436	13,858	10,875	11,843	8,985	10,779	7,382	9,870	7,189	9,230	47,867	55,580
Clinton	2,089	2,360	1,910	2,411	1,755	2,375	1,768	2,458	1,618	2,458	9,140	12,062
Columbia	6,351	4,415	6,538	4,707	5,454	4,125	4,859	4,545	4,613	4,451	27,815	22,243
Crawford	3,523	2,980	3,041	3,057	2,622	2,695	2,463	2,821	2,496	3,023	14,145	14,576
Cumberland	17,149	12,482	15,754	11,688	12,292	9,032	10,670	8,336	10,295	8,405	66,160	49,943
Dauphin	13,043	7,748	9,828	6,886	8,651	5,743	7,869	6,307	7,499	6,127	46,890	32,811
Delaware	19,945	6,837	15,174	5,740	13,890	4,718	10,685	4,278	11,118	4,093	70,812	25,666
Elk	2,824	3,612	2,985	3,720	2,298	3,191	2,188	3,509	1,640	2,942	11,935	16,974
Erie	14,526	10,557	13,289	11,212	10,254	9,225	9,431	8,865	9,659	9,050	57,159	48,909
Fayette	11,034	7,023	8,512	6,152	7,325	4,963	6,371	4,937	6,347	5,709	39,589	28,784
Forest	171	150	125	121	174	210	229	255	194	254	893	990
Franklin	8,033	7,434	9,502	9,325	9,015	8,072	8,027	7,888	7,870	7,834	42,447	40,553

County	2020		2021		2022		2023		2024		County Five-Year Total (2020-24)	
	Hand Gun	Long Gun	Hand Gun	Long Gun								
Fulton	1,355	1,262	1,288	1,473	956	1,306	704	1,030	644	894	4,947	5,965
Greene	1,831	1,925	1,589	1,729	1,357	1,616	1,194	1,753	994	1,410	6,965	8,433
Huntingdon	1,218	1,251	942	1,119	905	1,253	859	1,199	784	1,261	4,708	6,083
Indiana	4,466	3,599	3,966	3,260	3,897	3,046	3,862	3,202	4,053	3,315	20,244	16,422
Jefferson	3,164	3,166	3,198	3,631	2,608	2,859	2,620	3,198	2,270	2,981	13,860	15,835
Juniata	527	865	582	936	586	925	577	977	586	1,299	2,858	5,002
Lackawanna	11,109	6,060	10,989	6,087	9,517	5,261	7,728	4,191	7,596	4,139	46,939	25,738
Lancaster	38,468	21,956	31,036	19,952	25,631	17,911	23,925	18,509	21,717	17,987	140,777	96,315
Lawrence	6,454	3,885	5,408	3,532	4,500	2,860	4,021	2,941	3,720	2,922	24,103	16,140
Lebanon	10,209	7,262	9,461	7,609	8,388	7,028	7,973	7,297	7,775	7,109	43,806	36,305
Lehigh	22,225	9,886	17,270	9,288	15,717	8,604	14,000	8,616	13,259	7,921	82,471	44,315
Luzerne	20,520	11,770	18,687	11,628	14,778	9,770	12,874	8,666	10,523	7,016	77,382	48,850
Lycoming	10,253	7,862	9,893	8,333	7,152	7,040	7,194	7,595	7,027	8,171	41,519	39,001
McKean	2,241	2,700	1,754	2,359	1,505	2,030	1,249	2,125	1,170	2,110	7,919	11,324
Mercer	12,824	9,033	11,152	8,815	8,957	8,314	7,897	7,962	6,727	6,970	47,557	41,094
Mifflin	3,601	2,758	2,784	2,827	2,424	2,180	2,120	2,385	1,992	2,522	12,921	12,672
Monroe	13,137	7,148	10,972	7,053	10,872	6,197	8,989	5,791	8,193	5,022	52,163	31,211
Montgomery	24,468	11,306	20,859	9,021	18,278	7,609	15,319	7,484	11,948	6,284	90,872	41,704
Montour	161	170	166	159	203	149	166	161	108	116	804	755
Northampton	13,231	7,097	10,938	6,740	9,911	6,314	8,729	6,258	8,257	5,715	51,066	32,124
Northumberland	4,756	3,299	4,356	3,303	3,183	2,833	3,057	3,061	3,052	3,596	18,404	16,092
Perry	3,242	3,514	3,717	4,549	3,317	4,442	2,990	4,780	2,997	4,258	16,263	21,543
Philadelphia	25,326	5,454	23,490	5,270	21,680	2,841	15,457	2,353	12,757	2,305	98,710	18,223
Pike	4,054	3,578	3,757	3,047	3,198	2,328	2,848	2,236	2,490	2,184	16,347	13,373
Potter	460	673	513	795	786	1,294	916	1,469	721	1,411	3,396	5,642
Schuylkill	10,405	7,739	8,976	6,733	7,260	5,745	6,047	5,632	5,865	5,311	38,553	31,160
Snyder	4,729	3,673	3,395	3,340	3,331	3,130	2,807	2,837	2,733	2,422	16,995	15,402
Somerset	3,657	3,717	3,943	3,760	3,119	3,132	3,048	3,870	2,879	3,743	16,646	18,222
Sullivan	142	179	123	203	108	197	131	207	166	271	670	1,057
Susquehanna	1,676	1,812	1,509	1,762	1,610	2,088	1,537	2,325	1,568	2,688	7,900	10,675
Tioga	4,047	5,410	3,300	4,988	2,494	4,546	2,445	4,518	2,018	4,687	14,304	24,149

County	2020		2021		2022		2023		2024		County Five-Year Total (2020-24)	
	Hand Gun	Long Gun	Hand Gun	Long Gun								
Union	675	992	569	920	466	726	404	754	375	736	2,489	4,128
Venango	3,451	2,928	3,476	3,384	2,565	2,657	2,248	2,186	1,977	2,029	13,717	13,184
Warren	2,381	3,004	2,257	2,618	1,964	2,473	1,858	2,530	1,862	2,759	10,322	13,384
Washington	18,554	11,444	14,696	10,534	12,139	8,402	10,642	7,761	10,106	7,529	66,137	45,670
Wayne	7,485	7,075	7,195	6,623	5,924	5,874	5,331	5,912	4,838	5,764	30,773	31,248
Westmoreland	18,615	12,242	16,184	11,260	15,013	10,731	15,038	11,447	14,733	11,208	79,583	56,888
Wyoming	3,937	4,364	11,281	4,092	2,751	3,544	2,568	3,510	2,463	3,758	23,000	19,268
York	20,306	13,303	20,887	15,013	17,656	12,887	16,674	13,218	16,216	13,075	91,739	67,496
<i>Annual Statewide Total</i>	672,930	423,416	599,813	412,135	512,421	359,258	458,554	355,594	430,643	345,036	2,674,361	1,895,439

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Appendix C – PSP Response to the Draft Report



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA STATE POLICE
1800 ELMERTON AVENUE
HARRISBURG, PA 17110

OFFICE OF COMMISSIONER

March 4, 2026

Christopher R. Latta, Executive Director
Legislative Budget and Finance Committee
Room 207 Finance Building
613 North Street
Harrisburg, Pennsylvania 17105-8737

Dear Executive Director Latta,

The Pennsylvania State Police has received and reviewed a copy of *The Adequacy of Fees Charged for the Pennsylvania Instant Check System* study, conducted by the Legislative Budget and Finance Committee. We appreciate the opportunity to review the study and to provide information that may be of assistance to the Committee and the members of the General Assembly.

This study represents the sixth review conducted pursuant to Act 1995-17. The recurring nature of this statutory requirement provides an important opportunity for collaboration between the Pennsylvania State Police (PSP), the Legislative Budget and Finance Committee, and its staff, to ensure the delivery of comprehensive and accurate Pennsylvania Instant Check System (PICS) data and to promote transparency. We commend the Legislative Budget and Finance Committee and its staff for their professionalism and diligence throughout the review process.

Overall, the study accurately reflects PICS operations. It appropriately identifies both internal and external challenges, while also recognizing the substantial benefits of the system. The findings further demonstrate our continued commitment to providing high-quality service in the administration of PICS, while maintaining fiscal responsibility.

In recent years, demand for PICS services has remained at historically high levels, necessitating continued operational adaptability and responsiveness. Throughout this sustained increase, the PSP has remained mindful of the impact on

Christopher R. Latta, Executive Director
March 4, 2026
Page 2

stakeholders, including county sheriffs and small business owners, such as firearms dealers, and has worked diligently to ensure timely and reliable service. Ongoing system enhancements have contributed to improvements in both user experience and internal processing efficiency.

Additionally, throughout the period of this five-year study, twenty-seven new positions were approved and added to PSP's Firearms Division, providing operational and administrative support in response to the sustained volume of background check requests and investigation referrals. These additional resources have enhanced our capacity to meet demand, while maintaining the high standards of accuracy and service expected of the system.

Thank you again for your efforts in evaluating PICS. We look forward to continued dialogue with the Committee regarding the study and its findings.

Sincerely,



Lieutenant Colonel George L. Bivens
Acting Commissioner

