

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2844 Session of  
2004

INTRODUCED BY MAITLAND, FAIRCHILD, CORRIGAN, BOYD, CAWLEY,  
HARRIS, PAYNE, PHILLIPS, REICHLEY, STERN, WHEATLEY, WILT,  
BENNINGHOFF, PETRARCA, HESS, YOUNGBLOOD, SCRIMENTI,  
DENLINGER, CAPPELLI, GEIST, ARMSTRONG, LEACH, SCAVELLO AND  
B. SMITH, SEPTEMBER 17, 2004

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 17, 2004

AN ACT

1 Providing for the issuance of identification cards for retired  
2 law enforcement officers; and providing for the powers and  
3 duties of law enforcement agencies and the Pennsylvania State  
4 Police.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Retired Law  
9 Enforcement Identification Act.

10 Section 2. Legislative findings.

11 The General Assembly finds as follows:

12 (1) On July 22, 2004, the President of the United States  
13 signed the Law Enforcement Officers Safety Act of 2004, 18  
14 U.S.C. §§ 926B and 926C, which authorized certain current and  
15 retired law enforcement officers, if they so choose, to carry  
16 a concealed firearm.

17 (2) Section 3 of the Law Enforcement Officers Safety Act

1 of 2004, 18 U.S.C. § 926C, requires qualified retired law  
2 enforcement officers to have photographic identification  
3 identifying them as a retired law enforcement officer.

4 (3) The Law Enforcement Officers Safety Act of 2004  
5 requires retired law enforcement officers to maintain an  
6 annual qualification with their firearm and possess either  
7 identification or a certificate which indicates such  
8 qualification.

9 (4) Pennsylvania law does not currently provide for  
10 photographic identification of retired law enforcement  
11 officers.

12 (5) Pennsylvania law does not currently provide for  
13 annual firearms qualification by retired law enforcement  
14 officers.

15 (6) It is in the interests of the Commonwealth to  
16 establish uniform identification cards and qualification  
17 cards for retired law enforcement officers and a method of  
18 conducting annual firearms qualifications for such  
19 individuals.

## 20 Section 3. Definitions.

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

24 "Certified law enforcement firearm instructor." Any  
25 individual who possesses a current police firearms instructor  
26 rating from the National Rifle Association, the Pennsylvania  
27 State Police, the Municipal Police Officers' Education and  
28 Training Program, the Pennsylvania Commission on Crime and  
29 Delinquency, the Federal Bureau of Investigation, the Smith and  
30 Wesson Academy, the Philadelphia Police Academy or the United

1 States Secret Service or other certification approved by the  
2 Commissioner of the Pennsylvania State Police.

3 "Commissioner." The Commissioner of the Pennsylvania State  
4 Police.

5 "Identification card." A retired law enforcement officer  
6 identification card authorized under section 4.

7 "Qualification card." A firearm training and qualification  
8 card authorized under section 5.

9 Section 4. Retired law enforcement identification card.

10 (a) General rule.--A law enforcement agency shall provide  
11 each officer, upon retirement, with a retired law enforcement  
12 identification card. At anytime after a law enforcement officer  
13 retires, upon request of the officer, a law enforcement agency  
14 shall provide the retired law enforcement officer with a retired  
15 law enforcement identification card.

16 (b) Contents.--Identification cards shall be uniform  
17 throughout this Commonwealth and on a form prescribed by the  
18 commissioner. The identification card shall bear the following:

19 (1) The photograph of the retired law enforcement  
20 officer.

21 (2) The name, address, date of birth, race, sex, height,  
22 weight, color of hair, color of eyes and signature of the  
23 retired law enforcement officer.

24 (3) The signature of the law enforcement officer issuing  
25 the identification card.

26 (4) The name, telephone number and address of the law  
27 enforcement agency issuing the card.

28 (5) Any other information designated by the  
29 commissioner.

30 Section 5. Firearm training and qualification card.

1 (a) General rule.--A retired law enforcement officer shall  
2 be eligible for a qualification card if the law enforcement  
3 officer either:

- 4 (1) resides in this Commonwealth; or
- 5 (2) retired from a law enforcement agency of this  
6 Commonwealth or any political subdivision thereof.

7 (b) Contents.--Qualification cards shall be issued to  
8 indicate compliance with firearms training and qualification  
9 standards. The qualification cards shall be uniform throughout  
10 this Commonwealth and on a form prescribed by the commissioner.  
11 The qualification card shall bear the following:

12 (1) The name, address, date of birth, race, sex, height,  
13 weight, color of hair, color of eyes and signature of the  
14 retired law enforcement officer.

15 (2) The date of completion of the most recent firearms  
16 training and qualification by the retired law enforcement  
17 officer.

18 (3) An expiration date 12 months later than the date of  
19 completion under paragraph (2).

20 (4) The name and signature of the certified law  
21 enforcement firearms instructor issuing the qualification  
22 card.

23 (5) The make and model of any firearm used for firearms  
24 training and qualification by the retired law enforcement  
25 officer.

26 (6) Any other information designated by the  
27 commissioner.

28 Qualification cards shall not contain a photograph of the  
29 retired law enforcement officer.

30 (c) Issuing authorization.--Any certified law enforcement

1 firearms instructor may issue a qualification card to a retired  
2 law enforcement officer who has met the firearm training or  
3 qualification standards of any law enforcement agency in this  
4 Commonwealth.

5 (d) Duty of Pennsylvania State Police.--The Pennsylvania  
6 State Police shall make available blank qualification cards for  
7 use by certified law enforcement firearms instructors.

8 Section 6. Effective date.

9 This act shall take effect in 60 days.