

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1668 Session of
2011

INTRODUCED BY KRIEGER, TURZAI, AUMENT, BARRAR, BENNINGHOFF,
BLOOM, BOYD, BROOKS, CALTAGIRONE, CAUSER, CHRISTIANA, CLYMER,
D. COSTA, COX, CREIGHTON, CUTLER, DAY, DENLINGER, ELLIS,
EVANKOVICH, EVERETT, FARRY, FLECK, GABLER, GEIST, GEORGE,
GIBBONS, GILLEN, GINGRICH, GODSHALL, GOODMAN, GRELL, GROVE,
HAHN, HALUSKA, HARHART, HARRIS, HENNESSEY, HESS, HICKERNELL,
HORNAMAN, HUTCHINSON, KAUFFMAN, F. KELLER, M. K. KELLER,
KORTZ, KULA, LAWRENCE, LONGIETTI, MAJOR, MALONEY, MARSHALL,
MASSER, METCALFE, METZGAR, MILLARD, MILLER, MOUL, MULLERY,
MUSTIO, OBERLANDER, PEIFER, PERRY, PETRARCA, PICKETT, PYLE,
QUIGLEY, RAPP, READSHAW, REED, REESE, ROAE, ROCK, SACCONI,
SAYLOR, SCHRODER, SONNEY, STABACK, STERN, STEVENSON, SWANGER,
TALLMAN, TAYLOR, VULAKOVICH, WHITE, MAHER, BAKER, NEUMAN,
BEAR, TOBASH, HARHAI, EMRICK, HEFFLEY, REICHLEY AND KNOWLES,
JUNE 15, 2011

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 15, 2011

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in firearms and other dangerous
3 articles, further providing for firearms not to be carried
4 without a license.

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

7 Section 1. Section 6106(b) of Title 18 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 6106. Firearms not to be carried without a license.

10 * * *

11 (b) Exceptions.--The provisions of subsection (a) shall not
12 apply to:

1 (1) Constables, sheriffs, prison or jail wardens, or
2 their deputies, policemen of this Commonwealth or its
3 political subdivisions, or other law-enforcement officers.

4 (2) Members of the army, navy, marine corps, air force
5 or coast guard of the United States or of the National Guard
6 or organized reserves when on duty.

7 (3) The regularly enrolled members of any organization
8 duly organized to purchase or receive such firearms from the
9 United States or from this Commonwealth.

10 [(4) Any persons engaged in target shooting with a
11 firearm, if such persons are at or are going to or from their
12 places of assembly or target practice and if, while going to
13 or from their places of assembly or target practice, the
14 firearm is not loaded.]

15 (5) Officers or employees of the United States duly
16 authorized to carry a concealed firearm.

17 (6) Agents, messengers and other employees of common
18 carriers, banks, or business firms, whose duties require them
19 to protect moneys, valuables and other property in the
20 discharge of such duties.

21 (7) Any person engaged in the business of manufacturing,
22 repairing, or dealing in firearms, or the agent or
23 representative of any such person, having in his possession,
24 using or carrying a firearm in the usual or ordinary course
25 of such business.

26 (8) Any person while [carrying a firearm] transporting a
27 firearm as provided under 23 Pa.C.S. Ch. 61 (relating to
28 protection from abuse) which is not loaded and is in a secure
29 wrapper. [from the place of purchase to his home or place of
30 business, or to a place of repair, sale or appraisal or back

1 to his home or place of business, or in moving from one place
2 of abode or business to another or from his home to a
3 vacation or recreational home or dwelling or back, or to
4 recover stolen property under section 6111.1(b)(4) (relating
5 to Pennsylvania State Police), or to a place of instruction
6 intended to teach the safe handling, use or maintenance of
7 firearms or back or to a location to which the person has
8 been directed to relinquish firearms under 23 Pa.C.S. § 6108
9 (relating to relief) or back upon return of the relinquished
10 firearm or to a licensed dealer's place of business for
11 relinquishment pursuant to 23 Pa.C.S. § 6108.2 (relating to
12 relinquishment for consignment sale, lawful transfer or
13 safekeeping) or back upon return of the relinquished firearm
14 or to a location for safekeeping pursuant to 23 Pa.C.S. §
15 6108.3 (relating to relinquishment to third party for
16 safekeeping) or back upon return of the relinquished
17 firearm.]

18 (9) Persons licensed to hunt, take furbearers or fish in
19 this Commonwealth, if such persons are actually hunting,
20 taking furbearers or fishing as permitted by such license, or
21 are going to the places where they desire to hunt, take
22 furbearers or fish or returning from such places.

23 (10) Persons training dogs, if such persons are actually
24 training dogs during the regular training season.

25 (11) Any person while carrying a firearm in any vehicle,
26 which person possesses a valid and lawfully issued license
27 for that firearm which has been issued under the laws of the
28 United States or any other state.

29 (12) A person who has a lawfully issued license to carry
30 a firearm pursuant to section 6109 (relating to licenses) and

1 that said license expired within six months prior to the date
2 of arrest and that the individual is otherwise eligible for
3 renewal of the license.

4 (13) Any person who is otherwise eligible to possess a
5 firearm under this chapter and who is operating a motor
6 vehicle which is registered in the person's name or the name
7 of a spouse or parent and which contains a firearm for which
8 a valid license has been issued pursuant to section 6109 to
9 the spouse or parent owning the firearm.

10 [(14) A person lawfully engaged in the interstate
11 transportation of a firearm as defined under 18 U.S.C. §
12 921(a)(3) (relating to definitions) in compliance with 18
13 U.S.C. § 926A (relating to interstate transportation of
14 firearms).]

15 (15) Any person who possesses a valid and lawfully
16 issued license or permit to carry a firearm which has been
17 issued under the laws of another state, regardless of whether
18 a reciprocity agreement exists between the Commonwealth and
19 the other state under section 6109(k), provided[:

20 (i) The] the other state provides a reciprocal
21 privilege for individuals licensed to carry firearms
22 under section 6109.

23 [(ii) The Attorney General has determined that the
24 firearm laws of the state are similar to the firearm laws
25 of this Commonwealth.]

26 (16) Any person holding a license in accordance with
27 section 6109(f)(3).

28 (17) Any person who is not otherwise prohibited from
29 possessing, using, controlling, selling, transferring or
30 manufacturing a firearm shall be entitled to transport a

1 firearm if all of the following apply:

2 (i) During the transportation, the firearm is not
3 loaded.

4 (ii) The firearm is not being transported for
5 purposes prohibited under the laws of this Commonwealth.

6 * * *

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