

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2144

Session of
1988

INTRODUCED BY OLIVER, ACOSTA, CARN, ROEBUCK, HAYDEN, KITCHEN AND
WIGGINS, FEBRUARY 1, 1988

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 20, 1988

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for THE DEFINITION <—
3 OF "FIREARM," the issuing of licenses for firearms, and the
4 carrying and the delivery of firearms, rifles or shotguns in
5 cities of the first class.

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

8 Section 1. ~~Sections~~ THE DEFINITION OF "FIREARM" IN SECTION <—
9 6102 AND SECTIONS 6108, 6109 and 6110 of Title 18 of the
10 Pennsylvania Consolidated Statutes are amended to read:

11 § 6102. DEFINITIONS. <—

12 SUBJECT TO ADDITIONAL DEFINITIONS CONTAINED IN SUBSEQUENT
13 PROVISIONS OF THIS SUBCHAPTER WHICH ARE APPLICABLE TO SPECIFIC
14 PROVISIONS OF THIS SUBCHAPTER, THE FOLLOWING WORDS AND PHRASES,
15 WHEN USED IN THIS SUBCHAPTER SHALL HAVE, UNLESS THE CONTEXT
16 CLEARLY INDICATES OTHERWISE, THE MEANINGS GIVEN TO THEM IN THIS
17 SECTION:

18 "FIREARM." ANY PISTOL OR REVOLVER WITH A BARREL LESS THAN

1 [12] 15 INCHES, ANY SHOTGUN WITH A BARREL LESS THAN [24] 18
2 INCHES, OR ANY RIFLE WITH A BARREL LESS THAN [15] 16 INCHES, OR
3 ANY RIFLE OR SHOTGUN WITH AN OVERALL LENGTH OF LESS THAN 26
4 INCHES. THE BARREL LENGTH OF A FIREARM SHALL BE DETERMINED BY
5 MEASURING FROM THE MUZZLE OF THE BARREL TO THE FACE OF THE
6 CLOSED ACTION, BOLT OR CYLINDER, WHICHEVER IS APPLICABLE.

7 * * *

8 § 6108. Carrying firearms on public streets or public property
9 in Philadelphia.

10 No person shall carry [a] AN UNCASED OR LOADED firearm, rifle <—
11 or shotgun at any time upon the public streets or upon any
12 public property in a city of the first class unless such person <—
13 is 21 years of age or older and:

14 (1) such person is licensed to carry a firearm; [or] <—

15 (2) such person is exempt from licensing under section
16 6106(b) of this title (relating to firearms not to be carried
17 without a license)[.]; <—

18 (3) SUCH PERSON IS LICENSED TO HUNT OR FISH IN THIS
19 COMMONWEALTH, IF SUCH PERSON IS ACTUALLY HUNTING OR FISHING;
20 OR

21 (4) SUCH PERSON IS ENGAGED IN LAWFUL TARGET SHOOTING.

22 § 6109. Licenses.

23 (a) Issue of license.--The chief or head of any police force
24 or police department of a city, and, elsewhere, the sheriff of a
25 county, may, upon the application of any person, issue a license
26 to such person to carry a firearm in a vehicle or concealed on
27 or about his person within this Commonwealth for not more than
28 five years from date of issue, if it appears that the applicant
29 has good reason to fear an injury to his person or property, or
30 has any other proper reason for carrying a firearm, is 21 years

1 ~~of age or older if he resides within a city of the first class,~~ <—

2 and that he is a suitable person to be so licensed.

3 (b) Form of license.--The license shall be in triplicate, in
4 form to be prescribed by the Pennsylvania State Police, and
5 shall bear the name, address, description, and signature of the
6 licensee and the reason given for desiring a license. The
7 original thereof shall be delivered to the licensee, the
8 duplicate shall, within seven days, be sent by registered or
9 certified mail to the Commissioner of the Pennsylvania State
10 Police, and the triplicate shall be preserved for six years by
11 the authority issuing said license.

12 (c) Fee.--The fee for issuing such license shall be \$2.50,
13 which fee shall be paid into the county treasury.

14 (d) Revocation.--Any such license to carry firearms may be
15 revoked by the person issuing the same. Notice of revocation
16 shall be in writing and shall state the reason therefor. Said
17 notice shall be sent by certified mail, and, at that time, a
18 copy shall be forwarded to the Commissioner of the Pennsylvania
19 State Police.

20 § 6110. Persons to whom delivery shall not be made.

21 No [person] SELLER shall deliver a firearm to any person <—
22 under the age of [18] 21 years, or to one he has reasonable <—
23 cause to believe has been convicted of a crime of violence, or
24 is a drug addict, an habitual drunkard, or of unsound mind ~~or is~~ <—
25 ~~under the age of 21 years and resides within a city of the first~~
26 ~~class.~~

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