

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2840 Session of
1994

INTRODUCED BY SAURMAN, DEMPSEY, YOUNGBLOOD, TRICH, L. I. COHEN,
FICHTER AND LAUB, MAY 23, 1994

REFERRED TO COMMITTEE ON JUDICIARY, MAY 23, 1994

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for licenses; and
3 imposing penalties.

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

6 Section 1. Sections 6106.1(b), 6109(d) and (h) and 6119 of
7 Title 18 of the Pennsylvania Consolidated Statutes are amended
8 to read:

9 § 6106.1. Carrying loaded weapons other than firearms.

10 * * *

11 (b) Penalty.--[A person who violates the provisions of this
12 section commits a summary offense.] In addition to the penalty
13 imposed by this subchapter, the weapon involved in a violation
14 of this section shall be confiscated and disposed of by the
15 appropriate law enforcement agency, and the vehicle involved in
16 a violation of this section shall be forfeited to the
17 Commonwealth subject to the provisions of the act of July 6,
18 1941 (P.L.263, No.121), entitled "An act providing for the

1 forfeiture and condemnation of vehicles used to store, possess
2 or transport narcotics or drugs, the possession or
3 transportation of which is in violation of law."

4 § 6109. Licenses.

5 * * *

6 (d) Sheriff to conduct investigation.--The sheriff, or in
7 the case of a resident of a city of the first class, the chief
8 of police, to whom the application is made shall investigate the
9 applicant's record of criminal convictions, shall investigate
10 whether or not the applicant is under indictment for or has ever
11 been convicted of a crime punishable by imprisonment exceeding
12 one year, shall investigate whether the applicant's character
13 and reputation are such that the applicant will not be likely to
14 act in a manner dangerous to public safety and shall investigate
15 whether the applicant would be precluded from receiving a
16 license under subsection (e)(1). The term of the license shall
17 be five years, but the sheriff or the chief of police of a city
18 of the first class shall after three years conduct a follow-up
19 investigation of each licensee to whom was issued a license to
20 carry. Any violation of subsection (e)(1) shall result in the
21 revocation of the license under the provisions of subsection
22 (i).

23 * * *

24 (h) Fee.--The fee for a license to carry a firearm is
25 [~~\$12.50~~] \$25. This includes an administrative fee of \$5 under
26 section 14(2) of the act of July 6, 1984 (P.L.614, No.127),
27 known as the Sheriff Fee Act. The fee is payable to the sheriff
28 to whom the application is submitted and is payable at the time
29 of application for the license. Except for the administrative
30 fee of \$5 under section 14(2) of the Sheriff Fee Act, all other

1 fees shall be refunded if the application is denied but shall
2 not be refunded if a license is issued and subsequently revoked.
3 A person who sells or attempts to sell a license to carry a
4 firearm for a fee in excess of the amounts fixed under this
5 subsection commits a summary offense.

6 * * *

7 § 6119. Violation penalty.

8 Except as otherwise specifically provided, an offense under
9 this subchapter constitutes a misdemeanor of the first degree.
10 The firearm involved in the offense shall be confiscated and
11 disposed of by the appropriate law enforcement agency.

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