

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 483 Session of  
2005

INTRODUCED BY ORIE, WOZNIAK, ROBBINS, RAFFERTY, RHOADES, COSTA,  
GORDNER, M. WHITE AND BOSCOLA, MARCH 28, 2005

REFERRED TO JUDICIARY, MARCH 28, 2005

AN ACT

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

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

6 Section 1. Section 6106(b) of Title 18 of the Pennsylvania  
7 Consolidated Statutes is amended by adding a paragraph to read:

8 § 6106. Firearms not to be carried without a license.

9 \* \* \*

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

12 \* \* \*

13 (14) Any person who possesses a valid and lawfully  
14 issued license or permit to carry a firearm which has been  
15 issued under the laws of any other state or jurisdiction if  
16 all of the following apply:

17 (i) The other state or jurisdiction provides a  
18 reciprocal privilege for persons licensed to carry

1 firearms under section 6109, regardless of whether a  
2 reciprocity agreement exists between the Commonwealth and  
3 the other state or jurisdiction pursuant to section  
4 6109(k).

5 (ii) The Attorney General makes a determination that  
6 the licensing requirements of the other state or  
7 jurisdiction are similar to those of the Commonwealth.

8 (iii) A notice of the determination under  
9 subparagraph (ii) is published in the Pennsylvania  
10 Bulletin.

11 \* \* \*

12 Section 2. Section 6109(e)(3), (h), (i) and (k) of Title 18  
13 are amended and the section is amended by adding subsections to  
14 read:

15 § 6109. Licenses.

16 \* \* \*

17 (e) Issuance of license.--

18 \* \* \*

19 (3) The license shall bear the name, address, date of  
20 birth, race, sex, citizenship, Social Security number,  
21 height, weight, color of hair, color of eyes and signature of  
22 the licensee; the signature of the sheriff issuing the  
23 license; a license number of which the first two numbers  
24 shall be a county location code followed by numbers issued in  
25 numerical sequence; the Firearms License Validation System  
26 toll-free telephone number; the reason for issuance; [and]  
27 the period of validation[. The sheriff may also require]; and  
28 a photograph of the licensee [on the license]. The original  
29 license shall be issued to the applicant. [The first copy of  
30 the license shall be forwarded to the commissioner within

seven days of the date of issue, and a second copy] A copy of the license shall be retained by the issuing authority for a period of six years[.] and shall, at the end of the six-year period, be destroyed unless it has been renewed within that six-year period. The sheriff issuing a license shall, within 24 hours of the issuance, provide the Attorney General with the valid license number. The sheriff may not provide any other information on the license to the Attorney General. Within 24 hours of the expiration of the six-month grace period established by section 6106(b)(12) (relating to firearms not to be carried without a license) for a license which has not been renewed, the sheriff shall inform the Attorney General that the license number has expired.

\* \* \*

(h) Fee.--

(1) The fee for a license to carry a firearm is [\$19] \$22. This includes [a] all of the following:

(i) A renewal notice processing fee of [\$1.50. This includes an] \$2.50.

(ii) An administrative fee of \$5 under section 14(2) of the act of July 6, 1984 (P.L.614, No.127), known as the Sheriff Fee Act.

(iii) A reciprocity fee of \$2. The sheriff shall remit the fee under this subparagraph to the Attorney General, who shall use the fee to administer subsection (k) and section 6106(b)(14).

(2) No fee other than that provided by this [paragraph] subsection or the Sheriff Fee Act may be assessed by the sheriff for the performance of any background check made pursuant to this act.

1       (3) The fee is payable to the sheriff to whom the  
2       application is submitted and is payable at the time of  
3       application for the license.

4       (4) Except for the administrative fee of \$5 under  
5       section 14(2) of the Sheriff Fee Act, all other fees shall be  
6       refunded if the application is denied but shall not be  
7       refunded if a license is issued and subsequently revoked.

8       (5) A person who sells or attempts to sell a license to  
9       carry a firearm for a fee in excess of the amounts fixed  
10      under this subsection commits a summary offense.

11      (i) Revocation.--A license to carry firearms may be revoked  
12      by the issuing authority for good cause. A license to carry  
13      firearms shall be revoked by the issuing authority for any  
14      reason stated in subsection (e)(1) which occurs during the term  
15      of the permit. Notice of revocation shall be in writing and  
16      shall state the specific reason for revocation. Notice shall be  
17      sent by certified mail, and, at that time, [a copy shall be  
18      forwarded to the commissioner] notice shall also be provided to  
19      the Attorney General that the license number has been revoked.

20      An individual whose license is revoked shall surrender the  
21      license to the issuing authority within five days of receipt of  
22      the notice. An individual whose license is revoked may appeal to  
23      the court of common pleas for the judicial district in which the  
24      individual resides. An individual who violates this section  
25      commits a summary offense.

26      \* \* \*

27      (k) Reciprocity.--The Attorney General [may] shall have the  
28      power and duty to enter into reciprocity agreements with other  
29      states providing for the mutual recognition of each state's or  
30      other jurisdiction's license or permit to carry a firearm. In

1 order to carry out this duty, the Attorney General may negotiate  
2 reciprocity agreements and grant recognition of any state's or  
3 other jurisdiction's license or permit to carry a firearm. The  
4 Attorney General shall provide the toll-free telephone number  
5 for the Firearms License Validation System to any other state or  
6 jurisdiction which has entered into a reciprocity agreement with  
7 the Commonwealth.

8 (1) Inquiries.--

9 (1) The Attorney General shall, no later than 30 days  
10 after the effective date of this subsection and not less than  
11 once every six months thereafter, make written inquiry of the  
12 appropriate authorities in any other state which does not  
13 have a current reciprocity agreement with the Commonwealth as  
14 to whether a resident of this Commonwealth may carry a  
15 concealed firearm in that state or within a jurisdiction  
16 within that state based upon having a valid Pennsylvania  
17 license to carry a firearm or whether a resident of this  
18 Commonwealth may apply for a concealed firearm carrying  
19 license or permit in that state or in a jurisdiction within  
20 the state based upon having a valid Pennsylvania license to  
21 carry a firearm.

22 (2) The Attorney General shall maintain a current list  
23 of those states which have a reciprocity agreement with the  
24 Commonwealth, those states and jurisdictions which allow  
25 residents of this Commonwealth to carry a concealed firearm  
26 based upon having a valid Pennsylvania license to carry a  
27 firearm and those states and jurisdictions which allow  
28 residents of this Commonwealth to apply for a concealed  
29 firearm carrying license or permit based upon a valid  
30 Pennsylvania license to carry a firearm. The list shall be

1 made available to the public and shall be published on the  
2 Internet.

3 (m) Firearms License Validation System.--The Attorney  
4 General shall establish a nationwide toll-free telephone number,  
5 known as the Firearms License Validation System, which shall be  
6 operational seven days per week, 24 hours per day for the  
7 purpose of responding to inquiries regarding the validity of the  
8 license number of any Pennsylvania license to carry a firearm.  
9 Notwithstanding any other law to the contrary regarding the  
10 confidentiality of information under this chapter, inquiries to  
11 the system regarding the validity of license numbers may be made  
12 by any individual, including the Pennsylvania State Police and  
13 other law enforcement personnel. The Attorney General shall  
14 employ and train such personnel as are necessary to administer  
15 the provisions of this subsection.

16 Section 3. The Attorney General shall report to the General  
17 Assembly within 180 days of the effective date of this act on  
18 the agreements which have been consummated pursuant to 18  
19 Pa.C.S. § 6109(k).

20 Section 4. Within 60 days of the effective date of this act,  
21 the Pennsylvania State Police shall destroy any records, whether  
22 in a computerized or automated system or in any other format,  
23 concerning any Pennsylvania license to carry a firearm. This  
24 section shall not apply to records of individuals who have, in  
25 violation of the laws of this Commonwealth, carried a firearm in  
26 a vehicle or concealed on or about their persons.

27 Section 5. Within 30 days of the effective date of this act,  
28 each sheriff and the chief of police in a city of the first  
29 class shall provide the Attorney General with a list of license  
30 numbers for all currently valid licenses to carry a firearm

1 which the sheriff or chief of police has issued.

2 Section 6. This act shall take effect in 90 days.