

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2785 Session of
2008

INTRODUCED BY S. H. SMITH, FAIRCHILD, MARSHALL, REED, TRUE,
NAILOR, SIPTROTH, PHILLIPS, J. WHITE, BRENNAN, HUTCHINSON,
R. STEVENSON, CUTLER, STERN, DENLINGER, GINGRICH, BROOKS,
BOYD, DeWEESE, HESS, SWANGER, HALUSKA, MILLARD, KAUFFMAN,
GOODMAN, ROCK, SURRA, FLECK, READSHAW, SAYLOR, PAYNE,
LONGIETTI, BAKER, PICKETT, M. KELLER, RAPP, ARGALL, CAUSER,
SOLOBAY, HERSHEY, KORTZ, SONNEY, KOTIK, PYLE, R. MILLER AND
KENNEY, SEPTEMBER 23, 2008

REFERRED TO COMMITTEE ON JUDICIARY, SEPTEMBER 23, 2008

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)(8) and (e) of Title 18 of the
8 Pennsylvania Consolidated Statutes are 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:

13 * * *

14 (8) Any person while carrying a firearm which is not
15 loaded and is in a secure wrapper from the place of purchase
16 to his [home] place of abode or place of business, or to a

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

18 * * *

19 (e) Definitions.--

20 (1) For purposes of subsection (b)(3), (4), (5), (7) and
21 (8), the term "firearm" shall include any weapon which is
22 designed to or may readily be converted to expel any
23 projectile by the action of an explosive or the frame or
24 receiver of the weapon.

25 (2) As used in this section, the phrase "place of
26 instruction" shall include any hunting club, rifle club,
27 rifle range, pistol range, shooting range, the premises of a
28 licensed firearms dealer or a lawful gun show or meet.

29 (3) As used in this section, the phrase "place of abode"
30 shall include any:

1 (i) dwelling of a person; and
2 (ii) real property on which the dwelling of a person
3 is located if the real property is owned by the person or
4 a parent, spouse, child, brother or sister of the person.
5 (4) As used in this section, the term "dwelling" shall
6 include any dwelling as defined in section 501 (relating to
7 definitions).
8 Section 2. This act shall take effect in 60 days.