

AMENDMENTS TO SENATE BILL NO. 565

Sponsor: SENATOR HAYWOOD

Printer's No. 1212

1 Amend Bill, page 1, lines 1 through 10, by striking out all
2 of said lines and inserting
3 Amending Titles 18 (Crimes and Offenses), 23 (Domestic
4 Relations) and 34 (Game) of the Pennsylvania Consolidated
5 Statutes, in inchoate crimes, further providing for
6 possession of firearm or other dangerous weapon in court
7 facility; in firearms and other dangerous articles, further
8 providing for definitions, for evidence of intent, for
9 persons not to possess, use, manufacture, control, sell or
10 transfer firearms and for firearms not to be carried without
11 a license, providing for license not required, further
12 providing for prohibited conduct during emergency, repealing
13 provisions relating to carrying firearms on public streets or
14 public property in Philadelphia, providing for sportsman's
15 firearm permit, further providing for licenses, providing for
16 firearm eligibility license, for application for firearm
17 eligibility license, for fee and qualification, for
18 investigations and training course and for issuance and terms
19 and further providing for sale or transfer of firearms, for
20 Pennsylvania State Police, for loans on, or lending or giving
21 firearms prohibited, for proof of license and exception and
22 for administrative regulations; in protection from abuse,
23 further providing for relief; in hunting and furtaking,
24 further providing for cooperation after lawfully killing big
25 game; and, in protection of property and persons, further
26 providing for possession of firearm for protection of self or
27 others.

28 Amend Bill, page 2, lines 3 through 30; pages 3 through 5,
29 lines 1 through 30; page 6, lines 1 through 29; by striking out
30 all of said lines on said pages and inserting

31 Section 1. Section 913(b)(3) of Title 18 of the Pennsylvania
32 Consolidated Statutes is amended to read:
33 § 913. Possession of firearm or other dangerous weapon in court
34 facility.

35 * * *

1 (b) Grading.--

2 * * *

3 (3) An offense under subsection (a)(1) is a summary
4 offense if the person was carrying a firearm under section
5 6106(b) (relating to firearms not to be carried without a
6 license) or 6109 (relating to [licenses] license to carry)
7 and failed to check the firearm under subsection (e) prior to
8 entering the court facility.

9 * * *

10 Section 2. Section 6102 of Title 18 is amended by adding
11 definitions to read:

12 § 6102. Definitions.

13 Subject to additional definitions contained in subsequent
14 provisions of this subchapter which are applicable to specific
15 provisions of this subchapter, the following words and phrases,
16 when used in this subchapter shall have, unless the context
17 clearly indicates otherwise, the meanings given to them in this
18 section:

19 * * *

20 "Firearm eligibility license." A license issued by the
21 commissioner that authorizes a person to purchase a firearm.

22 * * *

23 "Qualified firearm instructor." A certified firearms
24 instructor who is recognized by the Pennsylvania State Police
25 and has one of the following:

26 (1) A valid qualified firearm instructor license issued
27 by the commissioner.

28 (2) A certificate issued by a nationally recognized
29 firearms organization.

30 * * *

31 Section 3. Sections 6104, 6105(h) and 6106(a) of Title 18
32 are amended to read:

33 § 6104. Evidence of intent.

34 In the trial of a person for committing or attempting to
35 commit a crime enumerated in section 6105 (relating to persons
36 not to possess, use, manufacture, control, sell or transfer
37 firearms), the fact that that person was armed with a firearm,
38 used or attempted to be used, and had no license to possess or
39 carry the same, shall be evidence of that person's intention to
40 commit the offense.

41 § 6105. Persons not to possess, use, manufacture, control, sell
42 or transfer firearms.

43 * * *

44 (h) License prohibition.--Any person who is prohibited from
45 possessing, using, controlling, selling, purchasing,
46 transferring or manufacturing any firearm under this section
47 shall not be eligible for or permitted to obtain a license to
48 carry a firearm under section 6109 (relating to [licenses]
49 license to carry).

50 * * *

51 § 6106. Firearms not to be carried without a license.

(a) Offense defined.--

(1) Except as provided in paragraph (2), any person who carries a firearm in any vehicle or any person who carries a firearm concealed on or about his person, except in his place of abode or fixed place of business, without a valid and lawfully issued license [under this chapter] to carry under section 6109 (relating to license to carry) commits a felony of the third degree.

(2) A person who is otherwise eligible to possess a valid license [under this chapter] to carry under section 6109 but carries a firearm in any vehicle or any person who carries a firearm concealed on or about his person, except in his place of abode or fixed place of business, without a valid and lawfully issued license to carry and has not committed any other criminal violation commits a misdemeanor of the first degree.

* * *

Amend Bill, page 6, line 30, by striking out "2" and inserting

4

Amend Bill, page 7, lines 18 and 19, by striking out all of said lines and inserting

Section 5. Section 6107 of Title 18 is amended to read:

Amend Bill, page 8, line 17, by striking out "3" and inserting

6

Amend Bill, page 8, line 27, by striking out "4" and inserting

7

Amend Bill, page 9, lines 28 through 30; page 10, lines 1 through 3; by striking out all of said lines on said pages and inserting

Section 8. Section 6109 heading and (a), (b), (c), (d) heading, introductory paragraph, (3), (4) and (5), (e) (1) introductory paragraph, (i), (v) and (vii), (3) introductory paragraph and (ii) and (4), (f) (2) and (4), (g), (h) (3) and (4), (i.1) heading and (1), (j) and (m.1) (1) introductory paragraph and (ii), (2), (3), (4), (7) and (9) of Title 18 are amended, subsection (d) is amended by adding a paragraph and subsection (e) (1) and (3) are amended by adding subparagraphs to read:

Amend Bill, page 10, line 4, by inserting a bracket before
"Licenses."

Amend Bill, page 10, line 4, by inserting after "Licenses"
] License to carry

Amend Bill, page 11, by inserting between lines 25 and 26
I am the holder of a valid firearm eligibility license.

Amend Bill, page 12, line 26, by striking out the bracket
after "firearms)"

Amend Bill, page 12, line 26, by inserting after "and"
;

Amend Bill, page 13, line 3, by inserting a bracket before
the period after "application"

Amend Bill, page 13, line 3, by inserting after
"application."

; and
(6) confirm with the Pennsylvania State Police that the
applicant holds a valid firearm eligibility license.

Amend Bill, page 13, by inserting between lines 23 and 24
(xv) An individual who does not possess a valid
firearm eligibility license under section 6109.1
(relating to firearm eligibility license).

Amend Bill, page 14, by inserting between lines 1 and 2
(vii) The number of the licensee's firearm
eligibility license.

Amend Bill, page 18, lines 25 through 30; page 19, lines 1
through 9; by striking out all of said lines on said pages and
inserting

Section 9. Title 18 is amended by adding sections to read:
§ 6109.1. Firearm eligibility license.

(a) Required.--Except as provided in subsection (b), a
firearm eligibility license shall be required to own or possess
a firearm within this Commonwealth.

(b) Exception.--Subsection (a) may not apply to any of the
following:

1 (1) A licensed firearms manufacturer.
2 (2) A dealer licensed under section 6113 (relating to
3 licensing of dealers).

4 (3) A law enforcement officer or person who is retired
5 in good standing from service with a law enforcement agency
6 of the United States, this Commonwealth or a local law
7 enforcement agency of this Commonwealth.

8 (4) A member or retired member of the armed forces of
9 the United States or the Pennsylvania National Guard.

10 (5) A person purchasing an antique firearm as defined in
11 section 6118 (relating to antique firearms) or reproductions
12 or replicas of firearms if the antique firearm, reproduction
13 or replica is not suitable for use.
14 § 6109.2. Application for firearm eligibility license.

15 (a) Place of application.--An individual may apply to an
16 issuing authority for a firearm eligibility license. If the
17 applicant is a resident of this Commonwealth, the applicant must
18 apply with the sheriff of the county in which the applicant
19 resides. If the applicant lives in a city of the first class,
20 the applicant must apply with the chief of police of the city.

21 (b) Form of application and content.--The application for a
22 firearm eligibility license shall be uniform across this
23 Commonwealth and shall be on a form prescribed by the
24 Pennsylvania State Police. Each application shall be signed and
25 dated by the applicant. The form may contain provisions, not
26 exceeding one page, to assure compliance with this section.
27 Issuing authorities shall use only the application form
28 prescribed by the Pennsylvania State Police. The application
29 shall contain the following statement:

30 I have never been convicted of a crime that prohibits me
31 from possessing or acquiring a firearm under Federal or
32 State law. I am of sound mind and have never been
33 committed to a mental institution. I hereby certify that
34 the statements contained herein are true and correct to
35 the best of my knowledge and belief. I understand that,
36 if I knowingly make any false statement herein, I am
37 subject to penalties prescribed by law. I authorize the
38 sheriff or the sheriff's designee, or the chief of the
39 police department or the chief's designee, to inspect
40 only those records or documents relevant to the
41 information required for this application. If I am issued
42 a license and knowingly become ineligible to legally
43 possess or acquire firearms, I will promptly notify the
44 sheriff of the county in which I reside or, if I reside
45 in a city of the first class, the chief of police of that
46 city.

47 § 6109.3. Fee and qualification.

48 (a) Firearm eligibility license fee.--

49 (1) The fees for a firearm eligibility license are as
50 follows:

51 (i) Fifty dollars for the original license.

1 (ii) Thirty dollars for a license renewal which
2 includes the following:

3 (A) A renewal processing fee of \$1.50.

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

7 (C) An administrative fee of \$2 for the costs of
8 completing the background investigation under section
9 6109.2(b) (relating to application for firearm
10 eligibility license). This fee shall be deposited
11 into the Firearms Instant Records Check Fund under
12 section 6111.2 (relating to firearms sales
13 surcharge).

14 (2) All license fees remaining after the deduction under
15 paragraph (1) shall be deposited in the General Fund.

16 (3) No fee other than under this section or the Sheriff
17 Fee Act may be assessed by the issuing authority for the cost
18 of a background check performed in the process of issuing a
19 firearm eligibility license.

20 (b) Qualifications for license.--The issuing authority shall
21 issue a firearm eligibility license to an applicant who meets
22 the following criteria:

23 (1) Is at least 18 years of age.

24 (2) Is a resident of this Commonwealth.

25 (3) Within three years prior to the submission of the
26 application, demonstrates satisfactory completion of a
27 certified firearms training course approved by the
28 commissioner that includes all the following:

29 (i) A minimum of 16 hours of instruction by a
30 qualified firearm instructor.

31 (ii) Classroom instruction on all the following:

32 (A) Commonwealth firearm law.

33 (B) Home firearm safety.

34 (C) Firearm mechanisms and operations.

35 (iii) A firearms orientation component that
36 demonstrates the person's safe operation, handling and
37 use of a firearm.

38 (4) Is not prohibited by Federal or State law from
39 purchasing or possessing a firearm. For purposes of
40 determining this, the following shall apply:

41 (i) The applicant shall provide a full set of
42 fingerprints to the Pennsylvania State Police.

43 (ii) The Pennsylvania State Police shall submit the
44 fingerprints to the Federal Bureau of Investigation to
45 verify the identity of the applicant and obtain a current
46 record of criminal arrests and convictions.

47 \$ 6109.4. Investigations and training course.

48 (a) Firearms training course.--The commissioner has the
49 following powers and duties:

50 (1) To promulgate guidelines setting forth the
51 requirements to become a qualified firearm instructor in this

1 Commonwealth.

2 (2) To designate any program as a certified firearm
3 training course if the program meets the minimum requirements
4 established by the commissioner.

5 (b) Waiver of training course.--An applicant for a firearm
6 eligibility license is not required to complete a firearm safety
7 training course under subsection (a) if the applicant is any of
8 the following:

9 (1) A qualified firearm instructor.

10 (2) A member or honorably discharged member of the armed
11 forces of the United States or the National Guard.

12 (3) A police officer, as defined in 53 Pa.C.S. § 2162
13 (relating to definitions) who is certified under 53 Pa.C.S.
14 Ch. 21 Subch. D (relating to municipal police education and
15 training). The term includes a school police officer
16 appointed under section 1302-C of the act of March 10, 1949
17 (P.L.30, No.14), known as the Public School Code of 1949.

18 (4) An active or retired Federal or State law
19 enforcement officer.

20 (5) Certified under 61 Pa.C.S. Ch. 63 (relating to
21 county probation officers' firearm education and training).

22 (6) A Commonwealth or county corrections officer or
23 probation or parole agent.

24 (7) A county sheriff, deputy sheriff or constable.

25 (8) The lawful owner of a firearm prior to the effective
26 date of this subsection.

27 (c) Conduct of investigation.--The issuing authority to whom
28 the application is made shall:

29 (1) Investigate the applicant's record of criminal
30 conviction.

31 (2) Review the applicant's completed Federal criminal
32 history check.

33 (3) Investigate whether the applicant would be precluded
34 from or is prohibited from possessing, using, controlling,
35 selling, purchasing, transferring or manufacturing a firearm
36 under section 6105 (relating to persons not to possess, use,
37 manufacture, control, sell or transfer firearms).

38 (4) Conduct a criminal background, juvenile delinquency
39 and mental health check following the procedures specified in
40 section 6111 (relating to sale or transfer of firearms),
41 receive a unique approval number for that inquiry and record
42 the date and number on the application.

43 (d) Notice to issuing authority.--Notwithstanding any other
44 law, a court, mental health review officer or county
45 administrator for mental health and intellectual disability
46 services shall notify the issuing authority of the county or
47 city in which an individual holds a firearm eligibility license
48 on a form prescribed by the Pennsylvania State Police within
49 seven days of the individual's conviction or adjudication or
50 upon determination of any of the following:

51 (1) A crime specified in section 6105(a) or (b).

1 (2) A crime punishable by imprisonment exceeding one
2 year.

3 (3) Conduct that meets the criteria of section 6105(c)
4 (1), (2), (3), (5), (6) or (9).

5 (4) Incompetency.

6 (5) Involuntary commitment to a mental institution for
7 inpatient care and treatment under the act of July 9, 1976
8 (P.L.817, No.143), known as the Mental Health Procedures Act.

9 (6) Involuntary treatment for an individual meeting the
10 criteria of section 6105(c)(4).

11 (e) Immunity.--An issuing authority which complies in good
12 faith with this section shall be immune from liability resulting
13 or arising from the action of misconduct with a firearm
14 committed by an individual who was issued a firearm eligibility
15 license.

16 (f) Definition.--As used in this section, the term "issuing
17 authority" shall mean a county sheriff or chief of police of a
18 city of the the first class.

19 § 6109.5. Issuance and terms.

20 (a) Issuance of license.--

21 (1) If the applicant meets the requirements of this
22 section, a firearm eligibility license shall be issued. A
23 license shall not be issued to an individual who is
24 prohibited from possessing, using, controlling, selling,
25 purchasing, transferring or manufacturing a firearm under
26 section 6105 (relating to persons not to possess, use,
27 manufacture, control, sell or transfer firearms) or under any
28 other Federal or State law.

29 (2) The firearm eligibility license shall be designed to
30 be uniform throughout this Commonwealth and shall be in a
31 form prescribed by the Pennsylvania State Police. The license
32 shall bear the following:

33 (i) The name, address, date of birth, race, sex,
34 citizenship, height, weight, color of hair, color of eyes
35 and signature of the licensee.

36 (ii) The signature of the issuing authority.

37 (iii) A license number of which the first two
38 numbers shall be a county location code. The remaining
39 numbers shall be issued in numerical sequence.

40 (iv) The period of validation.

41 (3) The firearm eligibility license shall include a
42 photograph of the licensee. The photograph shall be in a form
43 compatible with the Commonwealth Photo Imaging Network.

44 (4) The original firearm eligibility license shall be
45 issued to the applicant. The first copy of the license shall
46 be forwarded to the Pennsylvania State Police within seven
47 days of the date of issuance. The second copy shall be
48 retained by the issuing authority for a period of seven
49 years. Except under a court order, both copies and the
50 application shall, at the end of the seven-year period, be
51 destroyed unless the license has been renewed.

1 (b) Grant or denial of license.--Upon receipt of an
2 application for a firearm eligibility license, the issuing
3 authority shall issue or refuse to issue within 30 days a
4 license on the basis of the investigation under subsection (d)
5 and the accuracy of the information contained in the
6 application. If the issuing authority refuses to issue a
7 license, the issuing authority shall notify the applicant in
8 writing of the refusal and the specific reason. The notice shall
9 be sent by certified mail to the applicant at the address
10 included in the application.

11 (c) Term of license.--

12 (1) A firearm eligibility license issued under
13 subsection (e) shall be valid throughout this Commonwealth
14 for a period of five years unless extended under paragraph
15 (3) or revoked.

16 (2) At least 60 days prior to the expiration of each
17 license, the issuing authority shall send to the licensee an
18 application for renewal of the license. Failure to receive a
19 renewal application shall not relieve a licensee from the
20 responsibility to renew the license.

21 (3) Notwithstanding paragraph (1) or any other
22 provisions of law, a firearm eligibility license that is held
23 by a member of the United States Armed Forces or the
24 Pennsylvania National Guard on Federal active duty and
25 deployed overseas that is scheduled to expire during the
26 period of deployment shall be extended until 90 days after
27 the end of the deployment.

28 (4) Possession of a firearm eligibility license,
29 together with a copy of the person's military orders showing
30 the dates of the overseas deployment, including the date that
31 the overseas deployment ends, shall constitute a defense to
32 any charge filed under this section during the extension
33 period.

34 (d) Revocation.--

35 (1) A firearm eligibility license may be revoked by the
36 issuing authority for any reason under section 6105(b) or (c)
37 if the violation occurs during the term of the license. The
38 revocation shall be in accordance with the following:

39 (i) Notice of revocation shall:

40 (A) Be in writing and shall state the specific
41 reason for revocation.

42 (B) Be sent by certified mail to the individual.

43 (C) Be provided to the Pennsylvania State Police
44 by electronic means including e-mail or facsimile
45 transmission.

46 (ii) An individual who has had a license revoked may
47 appeal to the court of common pleas for the judicial
48 district in which the individual resides.

49 (2) Anyone who violates this subsection commits a
50 summary offense.

51 (e) Immunity.--An issuing authority which complies in good

1 faith with this section shall be immune from liability resulting
2 or arising from the action of misconduct with a firearm
3 committed by an individual who was issued a firearm eligibility
4 license.

5 (f) Reciprocity.--The Attorney General shall:

6 (1) Have the power and duty to enter into reciprocity
7 agreements with other states providing for the mutual
8 recognition of a firearm eligibility license issued by the
9 Commonwealth and a firearm eligibility license or permit
10 issued by another state.

11 (2) Have the power to negotiate reciprocity agreements
12 and grant recognition to a firearm eligibility license or
13 permit issued by another state.

14 (3) Report to the General Assembly within 180 days of
15 the effective date of this paragraph and annually thereafter
16 on the agreements which have been made under this section.

17 (g) Definition.--As used in this section, the term "issuing
18 authority" means a county sheriff or chief of police of a city
19 of the first class.

20 Section 10. Section 6111(b)(1.1)(iii), (f)(3) and (g)(4)
21 (iii) of Title 18 are amended and subsection (b) is amended by
22 adding a paragraph to read:

23 § 6111. Sale or transfer of firearms.

24 * * *

25 (b) Duty of seller.--No licensed importer, licensed
26 manufacturer or licensed dealer shall sell or deliver any
27 firearm to another person, other than a licensed importer,
28 licensed manufacturer, licensed dealer or licensed collector,
29 until the conditions of subsection (a) have been satisfied and
30 until he has:

31 * * *

32 (1.1) On the date of publication in the Pennsylvania
33 Bulletin of a notice by the Pennsylvania State Police that
34 the instantaneous records check has been implemented, all of
35 the following shall apply:

36 * * *

37 (iii) For purposes of conducting the criminal
38 history, juvenile delinquency and mental health records
39 background check which shall be completed within ten days
40 of receipt of the information from the dealer, the
41 application/record of sale shall include the name,
42 address, birthdate, gender, race, physical description
43 [and], Social Security number of the purchaser or
44 transferee, the purchaser or transferee's firearm
45 eligibility license number and the date of application.

46 * * *

47 (2.1) Inspected the firearm eligibility license of the
48 potential purchaser or transferee.

49 * * *

50 (f) Application of section.--

51 * * *

1 (3) The provisions contained in subsection (a) shall not
2 apply to any law enforcement officer whose current
3 identification as a law enforcement officer shall be
4 construed as a valid license to carry a firearm or any person
5 who possesses a valid license to carry a firearm under
6 section 6109 (relating to [licenses] license to carry).

7 * * *

8 (g) Penalties.--

9 * * *

10 (4) Any person, purchaser or transferee commits a felony
11 of the third degree if, in connection with the purchase,
12 delivery or transfer of a firearm under this chapter, he
13 knowingly and intentionally:

14 * * *

15 (iii) willfully furnishes or exhibits any false
16 identification, including a false firearm eligibility
17 license, intended or likely to deceive the seller,
18 licensed dealer or licensed manufacturer.

19 * * *

20 Section 11. Section 6111.1(b)(2) and (3) and (e)(1) of Title
21 18 are amended and subsections (b) and (i) are amended by adding
22 paragraphs to read:

23 § 6111.1. Pennsylvania State Police.

24 * * *

25 (b) Duty of Pennsylvania State Police.--

26 * * *

27 (1.1) Upon receipt of an application for a firearm
28 eligibility license under section 6109.1 (relating to firearm
29 eligibility license), the Pennsylvania State Police shall
30 immediately:

31 (i) Review the Pennsylvania State Police criminal
32 history and fingerprint records to determine whether the
33 applicant is prohibited from receipt or possession of a
34 firearm under Federal or State law.

35 (ii) Review the juvenile delinquency and mental
36 health records of the Pennsylvania State Police to
37 determine whether the applicant is prohibited from
38 receipt or possession of a firearm under Federal or State
39 law.

40 (iii) Inform the issuing authority of one of the
41 following:

42 (A) That the issuance of a firearm eligibility
43 license is prohibited.

44 (B) The individual is cleared for a firearm
45 eligibility license. If the Pennsylvania State Police
46 determine that the individual is eligible, the
47 Pennsylvania State Police shall provide the issuing
48 authority with the individual's firearm eligibility
49 license.

50 (2) In the event of electronic failure, scheduled
51 computer downtime or similar event beyond the control of the

1 Pennsylvania State Police, the Pennsylvania State Police
2 shall immediately notify the requesting licensee under
3 paragraph (1) or the applicant under paragraph (1.1) of the
4 reason for and estimated length of the delay. If the failure
5 or event lasts for a period exceeding 48 hours, the dealer
6 shall not be subject to any penalty for completing a
7 transaction absent the completion of an instantaneous records
8 check for the remainder of the failure or similar event, but
9 the dealer shall obtain a completed application/record of
10 sale following the provisions of section 6111(b)(1) and (1.1)
11 (relating to sale or transfer of firearms) as if an
12 instantaneous records check has not been established for any
13 sale or transfer of a firearm for the purpose of a subsequent
14 background check.

15 (3) The Pennsylvania State Police shall fully comply,
16 execute and enforce the directives of this section as
17 follows:

18 (i) The instantaneous background check for firearms
19 as defined in section 6102 (relating to definitions)
20 shall begin on July 1, 1998.

21 (ii) The instantaneous background check for firearms
22 that exceed the barrel lengths set forth in section 6102
23 shall begin on the later of:

24 (A) the date of publication of the notice under
25 section 6111(a)(2); or

26 (B) December 31, 1998.

27 (iii) The instantaneous background check for a
28 firearm eligibility license shall take effect on the
29 effective date of this subparagraph.

30 * * *

31 (e) Challenge to records.--

32 (1) Any person who is denied a firearm eligibility
33 license or is denied the right to receive, sell, transfer,
34 possess, carry, manufacture or purchase a firearm as a result
35 of the procedures established by this section may challenge
36 the accuracy of that person's criminal history, juvenile
37 delinquency history or mental health record pursuant to a
38 denial by the instantaneous records check by submitting a
39 challenge to the Pennsylvania State Police within 30 days
40 from the date of the denial.

41 * * *

42 (i) Reports.--The Pennsylvania State Police shall annually
43 compile and report to the General Assembly, on or before
44 December 31, the following information for the previous year:

45 * * *

46 (1.1) number of firearm eligibility license applications
47 submitted, number of applications denied, number of
48 challenges of the denials and number of reversals of initial
49 denials;

50 * * *

51 Section 12. Sections 6115(b)(1)(i), 6122(a) and 6124 of

1 Title 18 are amended to read:

2 § 6115. Loans on, or lending or giving firearms prohibited.

3 * * *

4 (b) Exception.--

5 (1) Subsection (a) shall not apply if any of the
6 following apply:

7 (i) The person who receives the firearm is licensed
8 to carry a firearm under section 6109 (relating to
9 [licenses] license to carry).

10 * * *

11 § 6122. Proof of license and exception.

12 (a) General rule.--When carrying a firearm concealed on or
13 about one's person or in a vehicle, an individual licensed to
14 carry a firearm shall, upon lawful demand of a law enforcement
15 officer, produce the [license] individual's firearm eligibility
16 license and license to carry for inspection. Failure to produce
17 such license either at the time of arrest or at the preliminary
18 hearing shall create a rebuttable presumption of nonlicensure.

19 * * *

20 § 6124. Administrative regulations.

21 The commissioner may establish form specifications and
22 regulations, consistent with [section] sections 6109(c)
23 (relating to [licenses] license to carry) and 6109.1 (relating
24 to firearm eligibility license), with respect to uniform forms
25 control, including the following:

26 (1) License to carry firearms.

27 (2) Firearm registration.

28 (3) Dealer's license.

29 (4) Application for purchase of a firearm.

30 (5) Record of sale of firearms.

31 (6) Firearm eligibility license.

32 Section 13. Section 6108(a)(7) introductory paragraph of
33 Title 23 is amended to read:

34 § 6108. Relief.

35 (a) General rule.--Subject to subsection (a.1), the court
36 may grant any protection order or approve any consent agreement
37 to bring about a cessation of abuse of the plaintiff or minor
38 children. The order or agreement may include:

39 * * *

40 (7) Prohibiting the defendant from acquiring or
41 possessing any firearm for the duration of the order,
42 ordering the defendant to temporarily relinquish to the
43 sheriff or the appropriate law enforcement agency any
44 firearms under the defendant's possession or control, and
45 requiring the defendant to relinquish to the sheriff or the
46 appropriate law enforcement agency any firearm license issued
47 under section 6108.3 (relating to relinquishment to third
48 party for safekeeping) or 18 Pa.C.S. § 6106 (relating to
49 firearms not to be carried without a license) or 6109
50 (relating to [licenses] license to carry) the defendant may
51 possess. The court may also order the defendant to relinquish

1 the defendant's other weapons or ammunition that have been
2 used or been threatened to be used in an incident of abuse
3 against the plaintiff or the minor children. A copy of the
4 court's order shall be transmitted to the chief or head of
5 the appropriate law enforcement agency and to the sheriff of
6 the county of which the defendant is a resident. When
7 relinquishment is ordered, the following shall apply:

8 * * *

9 Section 14. Sections 2325(a.1) and 2525(a) of Title 34 are
10 amended to read:

11 § 2325. Cooperation after lawfully killing big game.

12 * * *

13 (a.1) Exception.--Nothing in this section shall prohibit any
14 person from carrying a loaded handgun in the field provided that
15 person is in compliance with 18 Pa.C.S. § 6109 (relating to
16 [licenses] license to carry).

17 * * *

18 § 2525. Possession of firearm for protection of self or others.

19 (a) General rule.--It is lawful for a law enforcement officer
20 or any person who possesses a valid license to carry a firearm
21 issued under 18 Pa.C.S. § 6109 (relating to [licenses] license
22 to carry) to be in possession of a loaded or unloaded firearm
23 while engaged in any activity regulated by this title.

24 * * *

25 Section 15. This act shall take effect in 60 days.