INTRODUCED BY SABATINA AND TARTAGLIONE, AUGUST 15, 2019

REFERRED TO JUDICIARY, AUGUST 15, 2019

AN ACT

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in firearms and other dangerous articles, further providing for the offense of carrying firearms on public streets or public property in Philadelphia.

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

Section 1. Section 6108 of Title 18 of the Pennsylvania Consolidated Statutes is amended to read:

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

(a) General rule.--No person shall carry a firearm[,, rifle or shotgun] at any time upon the public streets or upon any public property in a city of the first class unless:

(1) [such] the person is licensed to carry a firearm; or

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

(b) Mandatory sentence.--

(1) Notwithstanding any other provision of law, if the
person in possession of a firearm at the time of arrest for a violation of this section is not the lawful owner of the firearm, then the offense shall be graded as a felony of the third degree and, upon conviction, the person shall be sentenced to a minimum sentence of at least two years of total confinement.

(2) A person sentenced under this subsection shall not be eligible for parole, probation, work release or furlough.

(3) This subsection shall not apply to a person who is otherwise eligible to possess a firearm under this chapter and who is operating a motor vehicle which is registered in the person's name or the name of a spouse or parent and which contains a firearm for which a valid license has been issued pursuant to section 6109 (relating to licenses) to the spouse or parent owning the firearm.

(c) Definition.--For the purposes of this section, the term "firearm" shall include any weapon which is designed to or may readily be converted to expel a projectile by the action of an explosive or the frame or receiver of the weapon.

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