

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1571 Session of  
1998

INTRODUCED BY SCHWARTZ, WILLIAMS, KITCHEN AND HUGHES,  
NOVEMBER 5, 1998

REFERRED TO JUDICIARY, NOVEMBER 5, 1998

AN ACT

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

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

6 Section 1. Section 6109(e) of Title 18 of the Pennsylvania  
7 Consolidated Statutes, amended June 18, 1998 (P.L.503, No.70),  
8 is amended to read:

9 § 6109. Licenses.

10 \* \* \*

11 (e) Issuance of license.--

12 (1) A license to carry a firearm shall be for the  
13 purpose of carrying a firearm concealed on or about one's  
14 person or in a vehicle and shall be issued if, after an  
15 investigation not to exceed 45 days, it appears that the  
16 applicant is an individual concerning whom no good cause  
17 exists to deny the license. A license issued under this  
18 section shall be for the exclusive use of the person to whom

1     the license is issued and may not be used by or transferred  
2     to any other person in any manner. A license shall not be  
3     issued to any of the following:

4             (i) An individual whose character and reputation is  
5             such that the individual would be likely to act in a  
6             manner dangerous to public safety.

7             (ii) An individual who has been convicted of an  
8             offense under the act of April 14, 1972 (P.L.233, No.64),  
9             known as The Controlled Substance, Drug, Device and  
10            Cosmetic Act.

11            (iii) An individual convicted of a crime enumerated  
12            in section 6105.

13            (iv) An individual who, within the past ten years,  
14            has been adjudicated delinquent for a crime enumerated in  
15            section 6105 or for an offense under The Controlled  
16            Substance, Drug, Device and Cosmetic Act.

17            (v) An individual who is not of sound mind or who  
18            has ever been committed to a mental institution.

19            (vi) An individual who is addicted to or is an  
20            unlawful user of marijuana or a stimulant, depressant or  
21            narcotic drug.

22            (vii) An individual who is a habitual drunkard.

23            (viii) An individual who is charged with or has been  
24            convicted of a crime punishable by imprisonment for a  
25            term exceeding one year except as provided for in section  
26            6123 (relating to waiver of disability or pardons).

27            (ix) A resident of another state who does not  
28            possess a current license or permit or similar document  
29            to carry a firearm issued by that state if a license is  
30            provided for by the laws of that state, as published

1           annually in the Federal Register by the Bureau of  
2           Alcohol, Tobacco and Firearms of the Department of the  
3           Treasury under 18 U.S.C. § 921(a)(19) (relating to  
4           definitions).

5           (x)    An alien who is illegally in the United States.

6           (xi)   An individual who has been discharged from the  
7           armed forces of the United States under dishonorable  
8           conditions.

9           (xii)  An individual who is a fugitive from justice.

10          This subparagraph does not apply to an individual whose  
11          fugitive status is based upon nonmoving or moving summary  
12          offense under Title 75 (relating to vehicles).

13          (xiii) An individual who is otherwise prohibited  
14          from possessing, using, manufacturing, controlling,  
15          purchasing, selling or transferring a firearm as provided  
16          by section 6105.

17          (3)    The license shall bear the name, address, date of  
18          birth, race, sex, citizenship, Social Security number,  
19          height, weight, color of hair, color of eyes and signature of  
20          the licensee; the signature of the sheriff issuing the  
21          license; the reason for issuance; and the period of  
22          validation. The sheriff [may also] shall require a photograph  
23          of the licensee on the license. The original license shall be  
24          issued to the applicant. The first copy of the license shall  
25          be forwarded to the commissioner within seven days of the  
26          date of issue, and a second copy shall be retained by the  
27          issuing authority for a period of six years. The license  
28          issued to the applicant shall be sealed to prevent  
29          alteration, modification or destruction of the photograph and  
30          the information contained on the license.

1       \* \* \*

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