



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 565

PRINTERS NO. 1212

PRIME SPONSOR: Dush

COST / (SAVINGS)

FUND	FY 2021/22	FY 2022/23
General Fund	\$0	\$0

SUMMARY:

Senate Bill 565 amends the Crimes Code (Title 18) concerning the regulation and licensing of firearms. It would take effect in 60 days.

ANALYSIS:

Senate Bill 565 makes several changes to the Crimes Code in multiple sections. These changes are summarized by section below.

Section 6106. Firearms not to be carried without a license. - Repealed.

Section 6106.2. License not required. - This new section declares that every person present in this Commonwealth who is not prohibited from possessing firearms under federal law or the laws of this Commonwealth has an affirmative, fundamental and constitutional right to keep and bear firearms, including the right to carry openly or concealed, carry loaded or unloaded, train with, transport, possess, use, acquire, purchase, transfer, inherit, buy, sell, give or otherwise dispose of or receive any firearm without a license from this Commonwealth or this Commonwealth's political subdivisions. It also provides for an optional license.

Section 6107. Prohibited Conduct During Emergency. - Language is repealed which provides that no person shall carry a firearm on the streets or public property, whether carried openly or concealed, during an emergency declared by a state or municipal government without a license to carry firearms (LTCF) unless the person is exempt from obtaining a LTCF or is actively engaged in defense of the person's life or property.

Section 6108. Carrying firearms on public streets or public property in Philadelphia. - Repealed.

Section 6108.1. Sportsman's firearm permit. - This new section allows any person 18 years of age or older who has been issued a hunting license, trapping license or fishing license or who has been issued a permit relating to hunting dogs may, at the time of obtaining a hunting, trapping or fishing license or any time after the license has been issued, obtain a sportsman's firearm permit

from the county treasurer. The permit must be issued immediately and be valid throughout this Commonwealth for a period of five years from the date of issue. The permit must be on a form developed by the Pennsylvania State Police (PSP) in accordance with the legislation. The county treasurer may collect a fee of not more than \$6 for each permit issued, which must include the cost of any official form. The PSP may recover from the county treasurer the cost of the form but may not charge more than \$1 for each official permit form furnished to the county treasurer.

Section 6109. Licenses. – This section is amended to convert the current process for obtaining a LTCF into a new optional form of license. It allows any person to apply for the optional license and an applicant who is not a Pennsylvania resident may apply with the proper issuing authority of any county. The form of license application is altered such that an applicant certifies not to have been involuntarily committed to a mental institution or, in the alternative, that the applicant's right to possess a firearm has been legally restored. The pre-issuance investigation period is reduced from 45 to 14 days.

Section 6122. Proof of license and exception. – Repealed.

FISCAL IMPACT:

Enactment of this legislation will have no adverse impact on Commonwealth funds.

There could be a negative impact on county revenue depending upon the number of individuals that do not apply for a concealed weapon permit through the issuing authority of the county. The actual revenue loss to counties will be dependent on the number of individuals choosing not to apply for a concealed weapon permit and the fee currently imposed by the county.

PREPARED BY: Jeff Miller
House Appropriations Committee (R)

DATE: November 16, 2021

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.