

AN ACT

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

4 The General Assembly finds that:

5 (1) The laws in existence regulating firearms ownership,
6 possession and use are ineffectual in preventing crime and
7 only interfere with the natural rights of law abiding
8 citizens.

9 (2) It is necessary to codify the inherent right to the
10 carrying of firearms, whether openly or concealed, and that
11 the right to self-defense is an inherent natural right that
12 shall not be questioned as stated in section 21 of Article I
13 of the Constitution of the Commonwealth of Pennsylvania.

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

16 Section 1. Section 103 of Title 18 of the Pennsylvania
17 Consolidated Statutes is amended by adding a definition to read:
18 § 103. Definitions.

1 Subject to additional definitions contained in subsequent
2 provisions of this title which are applicable to specific
3 provisions of this part, the following words and phrases when
4 used in this title shall have, unless the context clearly
5 indicates otherwise, the meanings given to them in this section:

6 * * *

7 "Lawful purpose." The term includes possession for the
8 purpose of self-defense or the exercise of reasonable force in
9 defense of the person or the person's property under Chapter 5
10 (relating to general principles of justification).

11 * * *

12 Section 2. Section 908(c) of Title 18 is amended to read:

13 § 908. Prohibited offensive weapons.

14 * * *

15 (c) Definitions.--As used in this section, the following
16 words and phrases shall have the meanings given to them in this
17 subsection:

18 "Firearm." Any weapon which is designed to or may readily be
19 converted to expel any projectile by the action of an explosive
20 or the frame or receiver of any such weapon.

21 "Offensive weapons." Any bomb, grenade, machine gun, sawed-
22 off shotgun with a barrel less than 18 inches, firearm specially
23 made or specially adapted for concealment or silent discharge,
24 any blackjack, sandbag, metal knuckles, [dagger, knife, razor or
25 cutting instrument, the blade of which is exposed in an
26 automatic way by switch, push-button, spring mechanism, or
27 otherwise,] any stun gun, stun baton, taser or other electronic
28 or electric weapon or other implement for the infliction of
29 serious bodily injury which serves no [common] lawful purpose.

30 * * *

1 Section 3. Section 6106 of Title 18 is repealed:

2 [§ 6106. Firearms not to be carried without a license.

3 (a) Offense defined.--

4 (1) Except as provided in paragraph (2), any person who
5 carries a firearm in any vehicle or any person who carries a
6 firearm concealed on or about his person, except in his place
7 of abode or fixed place of business, without a valid and
8 lawfully issued license under this chapter commits a felony
9 of the third degree.

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

17 (b) Exceptions.--The provisions of subsection (a) shall not
18 apply to:

19 (1) Constables, sheriffs, prison or jail wardens, or
20 their deputies, policemen of this Commonwealth or its
21 political subdivisions, or other law-enforcement officers.

22 (2) Members of the army, navy, marine corps, air force
23 or coast guard of the United States or of the National Guard
24 or organized reserves when on duty.

25 (3) The regularly enrolled members of any organization
26 duly organized to purchase or receive such firearms from the
27 United States or from this Commonwealth.

28 (4) Any persons engaged in target shooting with a
29 firearm, if such persons are at or are going to or from their
30 places of assembly or target practice and if, while going to

1 or from their places of assembly or target practice, the
2 firearm is not loaded.

3 (5) Officers or employees of the United States duly
4 authorized to carry a concealed firearm.

5 (6) Agents, messengers and other employees of common
6 carriers, banks, or business firms, whose duties require them
7 to protect moneys, valuables and other property in the
8 discharge of such duties.

9 (7) Any person engaged in the business of manufacturing,
10 repairing, or dealing in firearms, or the agent or
11 representative of any such person, having in his possession,
12 using or carrying a firearm in the usual or ordinary course
13 of such business.

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 or place of business, or to a place of repair,
17 sale or appraisal or back to his home or place of business,
18 or in moving from one place of abode or business to another
19 or from his home to a vacation or recreational home or
20 dwelling or back, or to recover stolen property under section
21 6111.1(b)(4) (relating to Pennsylvania State Police), or to a
22 place of instruction intended to teach the safe handling, use
23 or maintenance of firearms or back or to a location to which
24 the person has been directed to relinquish firearms under 23
25 Pa.C.S. § 6108 (relating to relief) or back upon return of
26 the relinquished firearm or to a licensed dealer's place of
27 business for relinquishment pursuant to 23 Pa.C.S. § 6108.2
28 (relating to relinquishment for consignment sale, lawful
29 transfer or safekeeping) or back upon return of the
30 relinquished firearm or to a location for safekeeping

1 pursuant to 23 Pa.C.S. § 6108.3 (relating to relinquishment
2 to third party for safekeeping) or back upon return of the
3 relinquished firearm.

4 (9) Persons licensed to hunt, take furbearers or fish in
5 this Commonwealth, if such persons are actually hunting,
6 taking furbearers or fishing as permitted by such license, or
7 are going to the places where they desire to hunt, take
8 furbearers or fish or returning from such places.

9 (10) Persons training dogs, if such persons are actually
10 training dogs during the regular training season.

11 (11) Any person while carrying a firearm in any vehicle,
12 which person possesses a valid and lawfully issued license
13 for that firearm which has been issued under the laws of the
14 United States or any other state.

15 (12) A person who has a lawfully issued license to carry
16 a firearm pursuant to section 6109 (relating to licenses) and
17 that said license expired within six months prior to the date
18 of arrest and that the individual is otherwise eligible for
19 renewal of the license.

20 (13) Any person who is otherwise eligible to possess a
21 firearm under this chapter and who is operating a motor
22 vehicle which is registered in the person's name or the name
23 of a spouse or parent and which contains a firearm for which
24 a valid license has been issued pursuant to section 6109 to
25 the spouse or parent owning the firearm.

26 (14) A person lawfully engaged in the interstate
27 transportation of a firearm as defined under 18 U.S.C. §
28 921(a)(3) (relating to definitions) in compliance with 18
29 U.S.C. § 926A (relating to interstate transportation of
30 firearms).

1 (15) Any person who possesses a valid and lawfully
2 issued license or permit to carry a firearm which has been
3 issued under the laws of another state, regardless of whether
4 a reciprocity agreement exists between the Commonwealth and
5 the state under section 6109(k), provided:

6 (i) The state provides a reciprocal privilege for
7 individuals licensed to carry firearms under section
8 6109.

9 (ii) The Attorney General has determined that the
10 firearm laws of the state are similar to the firearm laws
11 of this Commonwealth.

12 (16) Any person holding a license in accordance with
13 section 6109(f)(3).

14 (c) Sportsman's firearm permit.--

15 (1) Before any exception shall be granted under
16 paragraph (b)(9) or (10) of this section to any person 18
17 years of age or older licensed to hunt, trap or fish or who
18 has been issued a permit relating to hunting dogs, such
19 person shall, at the time of securing his hunting, furtaking
20 or fishing license or any time after such license has been
21 issued, secure a sportsman's firearm permit from the county
22 treasurer. The sportsman's firearm permit shall be issued
23 immediately and be valid throughout this Commonwealth for a
24 period of five years from the date of issue for any legal
25 firearm, when carried in conjunction with a valid hunting,
26 furtaking or fishing license or permit relating to hunting
27 dogs. The sportsman's firearm permit shall be in triplicate
28 on a form to be furnished by the Pennsylvania State Police.
29 The original permit shall be delivered to the person, and the
30 first copy thereof, within seven days, shall be forwarded to

1 the Commissioner of the Pennsylvania State Police by the
2 county treasurer. The second copy shall be retained by the
3 county treasurer for a period of two years from the date of
4 expiration. The county treasurer shall be entitled to collect
5 a fee of not more than \$6 for each such permit issued, which
6 shall include the cost of any official form. The Pennsylvania
7 State Police may recover from the county treasurer the cost
8 of any such form, but may not charge more than \$1 for each
9 official permit form furnished to the county treasurer.

10 (2) Any person who sells or attempts to sell a
11 sportsman's firearm permit for a fee in excess of that amount
12 fixed under this subsection commits a summary offense.

13 (d) Revocation of registration.--Any registration of a
14 firearm under subsection (c) of this section may be revoked by
15 the county treasurer who issued it, upon written notice to the
16 holder thereof.

17 (e) Definitions.--

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

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

27 Section 4. Title 18 is amended by adding a section to read:

28 § 6106.2. License not required.

29 (a) Declaration.--Notwithstanding any other provision of
30 law, every person present in this Commonwealth shall have an

1 affirmative, fundamental and constitutional right to keep and
2 bear firearms, including the right to carry openly or concealed,
3 carry loaded or unloaded, transport, possess, use, acquire,
4 purchase, transfer, inherit, buy, sell, give or otherwise
5 dispose of or receive any firearm or self-defense device without
6 a license, permission or restriction of any kind from or by this
7 Commonwealth or any of its political subdivisions.

8 (b) Optional license.--Obtaining a license to carry a
9 firearm under this chapter shall be optional. The voluntary
10 nature of the license shall not be construed to require that any
11 person obtain a license to carry a firearm under this chapter.

12 Section 5. Section 6108 of Title 18 is repealed:

13 [§ 6108. Carrying firearms on public streets or public property
14 in Philadelphia.

15 No person shall carry a firearm, rifle or shotgun at any time
16 upon the public streets or upon any public property in a city of
17 the first class unless:

18 (1) such person is licensed to carry a firearm; or

19 (2) such person is exempt from licensing under section
20 6106(b) of this title (relating to firearms not to be carried
21 without a license).]

22 Section 6. Title 18 is amended by adding a section to read:

23 § 6108.1. Sportsman's firearm permit.

24 (a) Permit allowed.--Any person 18 years of age or older who
25 has been issued a hunting license, trapping license or fishing
26 license or who has been issued a permit relating to hunting dogs
27 may, at the time of obtaining his hunting, furtaking or fishing
28 license or any time after the license has been issued, obtain a
29 sportsman's firearm permit from the county treasurer.

30 (b) Issuance.--The sportsman's firearm permit shall be

1 issued immediately and shall be valid throughout this
2 Commonwealth for a period of five years from the date of issue
3 for any legal firearm when carried in conjunction with a valid
4 hunting, furtaking or fishing license or permit relating to
5 hunting dogs.

6 (c) Form.--The sportsman's firearm permit shall be in
7 triplicate on a form to be furnished by the Pennsylvania State
8 Police. The original permit shall be delivered to the person,
9 and a copy of the permit shall be forwarded to the Commissioner
10 of the Pennsylvania State Police by the county treasurer within
11 seven days of the date of delivery. A copy of the permit shall
12 be retained by the county treasurer for a period of two years
13 from the date of expiration.

14 (d) Fee.--The county treasurer may collect a fee of not more
15 than \$6 for each permit issued, which shall include the cost of
16 any official form. The Pennsylvania State Police may recover
17 from the county treasurer the cost of the form, but may not
18 charge more than \$1 for each official permit form furnished to
19 the county treasurer.

20 (e) Offense.--Any person who sells or attempts to sell a
21 sportsman's firearm permit for a fee in excess of the amount
22 determined under this section commits a summary offense.

23 Section 7. Section 6109(a), (b), (c), (d) introductory
24 paragraph, (3), (4) and (5), (e)(1) introductory paragraph, (i),
25 (v) and (vii), (3) introductory paragraph and (ii) and (4), (f)
26 (2) and (4), (g), (h)(2), (3) and (4), (i.1) introductory
27 paragraph and (1), (j) and (m.1)(1) introductory paragraph and
28 (ii), (2), (3), (4), (7) and (9) of Title 18 are amended to
29 read:

30 § 6109. Licenses.

1 (a) Purpose of license.--[A license to carry a firearm shall
2 be for the purpose of carrying a firearm concealed on or about
3 one's person or in a vehicle throughout this Commonwealth.]

4 (1) Due to every Commonwealth citizen having a
5 fundamental constitutional right to keep and bear arms,
6 obtaining a license under this section shall be optional. The
7 voluntary nature of the license shall not be construed to
8 relieve the issuing authority of the burden of proof for
9 denying an application for a license. Issuance of a license
10 under this section by the proper authority shall be prima
11 facie evidence that law enforcement authorities have verified
12 that the individual is qualified under the law and not
13 prohibited from possessing firearms pursuant to section 6105
14 (relating to persons not to possess, use, manufacture,
15 control, sell or transfer firearms) or any other provision of
16 law. Nothing in this section shall be construed to require
17 that a person must obtain a license under this section in
18 order to carry a concealed firearm.

19 (2) The voluntary nature of a license to carry a firearm
20 may not be construed to relieve the issuing authority of the
21 burden of proof for denying an application for a license.
22 Issuance of a license to carry a firearm under this section
23 by the proper authority shall be prima facie evidence that
24 law enforcement authorities have verified that the individual
25 is qualified under the law and is not prohibited from
26 possessing firearms under the laws of this Commonwealth.

27 (3) A license to carry a firearm shall be available to
28 those who wish to carry a firearm openly or concealed on or
29 about one's person or in a vehicle and shall be valid
30 throughout this Commonwealth.

1 (4) A license to carry a firearm shall provide citizens
2 of this Commonwealth with the ability to carry a firearm in
3 any state that the Commonwealth maintains a reciprocal
4 agreement for the mutual recognition of licenses to carry
5 firearms.

6 (b) Place of application.--An individual who is 21 years of
7 age or older may apply to [a sheriff] the proper issuing
8 authority for a license to carry a firearm [concealed on or
9 about his person or in a vehicle] within this Commonwealth. If
10 the applicant is a resident of this Commonwealth, he shall make
11 application with the sheriff of the county in which he resides
12 or, if a resident of a city of the first class, with the chief
13 of police of that city. If the applicant is not a resident of
14 this Commonwealth, he shall make application with the sheriff of
15 any county.

16 (c) Form of application and content.--The application for a
17 license to carry a firearm shall be uniform throughout this
18 Commonwealth and shall be on a form prescribed by the
19 [Pennsylvania State Police] Attorney General. The form may
20 contain provisions, not exceeding one page, to assure compliance
21 with this section. Issuing authorities shall use only the
22 application form prescribed by the [Pennsylvania State Police]
23 Attorney General. One of the following reasons for obtaining a
24 firearm license shall be set forth in the application: self-
25 defense, employment, hunting and fishing, target shooting, gun
26 collecting or another proper reason. The application form shall
27 be dated and signed by the applicant and shall contain the
28 following statement:

29 I have never been convicted of a crime that prohibits me
30 from possessing or acquiring a firearm under Federal or

1 State law. I am of sound mind and have never been
2 involuntarily committed to a mental institution or if I
3 was involuntarily committed, the involuntary commitment
4 has been expunged. I hereby certify that the statements
5 contained herein are true and correct to the best of my
6 knowledge and belief. I understand that, if I knowingly
7 make any false statements herein, I am subject to
8 penalties prescribed by law. I authorize the [sheriff, or
9 his designee, or, in the case of first class cities, the
10 chief or head of the police department] issuing
11 authority, or his designee, to inspect only those records
12 or documents relevant to information required for this
13 application. If I am issued a license and knowingly
14 become ineligible to legally possess or acquire firearms,
15 I will promptly notify the [sheriff of the county in
16 which I reside or, if I reside in a city of the first
17 class, the chief of police of that city] issuing
18 authority.

19 (d) [Sheriff to conduct] Pre-issuance investigation.--The
20 [sheriff] issuing authority to whom the application is made
21 shall:

22 * * *

23 [(3) investigate whether the applicant's character and
24 reputation are such that the applicant will not be likely to
25 act in a manner dangerous to public safety;]

26 (4) investigate whether the applicant would be precluded
27 from receiving a license under subsection (e)(1) or section
28 6105(h) [(relating to persons not to possess, use,
29 manufacture, control, sell or transfer firearms)]; and

30 (5) conduct a criminal background, juvenile delinquency

1 and mental health check [following the procedures set forth
2 in section 6111 (relating to sale or transfer of firearms),
3 receive] by contacting the National Instant Criminal
4 Background Check System and must have received a unique
5 approval number for that inquiry and record the date and
6 number on the application.

7 (e) Issuance of license.--

8 (1) A license to carry a firearm shall be [for the
9 purpose of carrying a firearm concealed on or about one's
10 person or in a vehicle and shall be issued if,] issued after
11 an investigation not to exceed [45] 14 calendar days, [it
12 appears that the applicant is an individual concerning whom
13 no] unless good cause exists to deny the license. A license
14 shall not be issued to any of the following:

15 [(i) An individual whose character and reputation is
16 such that the individual would be likely to act in a
17 manner dangerous to public safety.]

18 * * *

19 (v) An individual who is not of sound mind or who
20 has ever been involuntarily committed to a mental
21 institution, unless the involuntary commitment has been
22 expunged.

23 * * *

24 [(vii) An individual who is a habitual drunkard.]

25 * * *

26 (3) The license to carry a firearm shall be designed to
27 be uniform throughout this Commonwealth and shall be in a
28 form prescribed by the [Pennsylvania State Police] Attorney
29 General. The license shall bear the following:

30 * * *

1 (ii) The signature of the [sheriff] authority
2 issuing the license.

3 * * *

4 (4) The [sheriff] issuing authority shall require a
5 photograph of the licensee on the license. The photograph
6 shall be in a form compatible with the Commonwealth Photo
7 Imaging Network.

8 * * *

9 (f) Term of license.--

10 * * *

11 (2) At least 60 days prior to the expiration of each
12 license, the issuing [sheriff] authority shall send to the
13 licensee an application for renewal of license. Failure to
14 receive a renewal application shall not relieve a licensee
15 from the responsibility to renew the license.

16 * * *

17 [(4) Possession of a license, together with a copy of
18 the person's military orders showing the dates of overseas
19 deployment, including the date that the overseas deployment
20 ends, shall constitute, during the extension period specified
21 in paragraph (3), a defense to any charge filed pursuant to
22 section 6106 (relating to firearms not to be carried without
23 a license) or 6108 (relating to carrying firearms on public
24 streets or public property in Philadelphia).]

25 (g) Grant or denial of license.--Upon the receipt of an
26 application for a license to carry a firearm, the [sheriff]
27 issuing authority shall, within [45] 14 calendar days, issue or
28 refuse to issue a license on the basis of the investigation
29 under subsection (d) and the accuracy of the information
30 contained in the application. If the [sheriff] issuing authority

1 refuses to issue a license, the [sheriff] issuing authority
2 shall notify the applicant in writing of the refusal and the
3 specific reasons. The notice shall be sent by certified mail to
4 the applicant at the address set forth in the application.

5 (h) Fee.--

6 * * *

7 [(2) (i) The Pennsylvania Commission on Crime and
8 Delinquency shall implement, within five years of the
9 effective date of this paragraph, a system in conjunction
10 with the Pennsylvania State Police and the Pennsylvania
11 Sheriffs' Association to standardize and modernize the
12 process of issuing licenses to carry firearms. Upon
13 implementation of the system under this paragraph, the
14 Pennsylvania Commission on Crime and Delinquency shall
15 publish notice thereof in the Pennsylvania Bulletin.

16 (ii) An additional temporary fee of \$5 shall be
17 remitted by the sheriff to the Firearms License to Carry
18 Modernization Account, which is hereby established as a
19 special restricted receipt account within the General
20 Fund of the State Treasury. Moneys and investment income
21 in the account shall be awarded as grants to sheriffs to
22 implement the system, including grants to reimburse
23 sheriffs for expenses incurred prior to the effective
24 date of this paragraph.

25 (iii) Moneys credited to the account and any
26 investment income accrued are hereby appropriated on a
27 continuing basis to the Pennsylvania Commission on Crime
28 and Delinquency. The commission shall establish
29 procedures related to the application process for and
30 distribution of funds to sheriffs under this paragraph.

1 Notwithstanding the provisions of subparagraph (ii), the
2 commission may withhold annually an amount not exceeding
3 5% of the funds credited to the account in that fiscal
4 year for the cost to implement the system under
5 subparagraph (i) and for administrative costs directly
6 related to the responsibilities of the commission under
7 this paragraph.

8 (iv) This paragraph shall expire five years after
9 its effective date. Any surplus funds remaining in the
10 account established in subparagraph (ii) at such time
11 shall lapse into the General Fund.]

12 (3) An additional fee of \$1 shall be paid by the
13 applicant for a license to carry a firearm and shall be
14 remitted by the [sheriff] issuing authority to the Firearms
15 License Validation System Account, which is hereby
16 established as a special restricted receipt account within
17 the General Fund of the State Treasury. The account shall be
18 used for purposes under subsection (1). Moneys credited to
19 the account and any investment income accrued are hereby
20 appropriated on a continuing basis to the Pennsylvania State
21 Police.

22 (4) No fee other than that provided by this subsection
23 or the Sheriff Fee Act may be assessed by the [sheriff]
24 issuing authority for the performance of any background check
25 made pursuant to this act.

26 * * *

27 (i.1) Notice to [sheriff] issuing authority.--

28 Notwithstanding any statute to the contrary:

29 (1) Upon conviction of a person for a crime specified in
30 section 6105(a) or (b) or upon conviction of a person for a

1 crime punishable by imprisonment exceeding one year or upon a
2 determination that the conduct of a person meets the criteria
3 specified in section 6105(c)(1), (2), (3), (5), (6) or (9),
4 the court shall determine if the defendant has a license to
5 carry firearms issued pursuant to this section. If the
6 defendant has such a license, the court shall notify the
7 [sheriff of the county in which that person resides] issuing
8 authority, on a form developed by the [Pennsylvania State
9 Police] Attorney General, of the identity of the person and
10 the nature of the crime or conduct which resulted in the
11 notification. The notification shall be transmitted by the
12 judge within seven days of the conviction or determination.

13 * * *

14 (j) Immunity.--[A sheriff] An issuing authority who complies
15 in good faith with this section shall be immune from liability
16 resulting or arising from the action or misconduct with a
17 firearm committed by any individual to whom a license to carry a
18 firearm has been issued.

19 * * *

20 (m.1) Temporary emergency licenses.--

21 (1) A person seeking a temporary emergency license to
22 carry a concealed firearm shall submit to the [sheriff]
23 issuing authority of the county in which the person resides
24 all of the following:

25 * * *

26 (ii) A sworn affidavit that contains the information
27 required on an application for a license to carry a
28 firearm and attesting that the person is 21 years of age
29 or older, is not prohibited from owning firearms under
30 section 6105 [(relating to persons not to possess, use,

1 manufacture, control, sell or transfer firearms)] or any
2 other Federal or State law and is not currently subject
3 to a protection from abuse order or a protection order
4 issued by a court of another state.

5 * * *

6 (2) Upon receipt of the items required under paragraph
7 (1), the [sheriff] issuing authority immediately shall
8 conduct a criminal history, juvenile delinquency and mental
9 health record check of the applicant pursuant to section
10 6105. Immediately upon receipt of the results of the records
11 check, the [sheriff] issuing authority shall review the
12 information and shall determine whether the applicant meets
13 the criteria set forth in this subsection. If the [sheriff]
14 issuing authority determines that the applicant has met all
15 of the criteria, the [sheriff] issuing authority shall
16 immediately issue the applicant a temporary emergency license
17 to carry a concealed firearm.

18 (3) If the [sheriff] issuing authority refuses to issue
19 a temporary emergency license, the [sheriff] issuing
20 authority shall specify the grounds for the denial in a
21 written notice to the applicant. The applicant may appeal the
22 denial or challenge criminal records check results that were
23 the basis of the denial, if applicable, in the same manner as
24 a denial of a license to carry a firearm under this section.

25 (4) A temporary emergency license issued under this
26 subsection shall be valid for 45 days and may not be renewed.
27 A person who has been issued a temporary emergency license
28 under this subsection shall not be issued another temporary
29 emergency license unless at least five years have expired
30 since the issuance of the prior temporary emergency license.

1 During the 45 days the temporary emergency license is valid,
2 the [sheriff] issuing authority shall conduct an additional
3 investigation of the person for the purposes of determining
4 whether the person may be issued a license pursuant to this
5 section. If, during the course of this investigation, the
6 [sheriff] issuing authority discovers any information that
7 would have prohibited the issuance of a license pursuant to
8 this section, the [sheriff] issuing authority shall be
9 authorized to revoke the temporary emergency license as
10 provided in subsection (i).

11 * * *

12 (7) [A sheriff] An issuing authority who issues a
13 temporary emergency license to carry a firearm shall retain,
14 for the entire period during which the temporary emergency
15 license is in effect, the evidence of imminent danger that
16 the applicant submitted to the [sheriff] issuing authority
17 that was the basis for the license, or a copy of the
18 evidence, as appropriate.

19 * * *

20 (9) Prior to the expiration of a temporary emergency
21 license, if the [sheriff] issuing authority has determined
22 pursuant to investigation that the person issued a temporary
23 emergency license is not disqualified and if the temporary
24 emergency license has not been revoked pursuant to subsection
25 (i), the [sheriff] issuing authority shall issue a license
26 pursuant to this section that is effective for the balance of
27 the five-year period from the date of the issuance of the
28 temporary emergency license. Records and all other
29 information, duties and obligations regarding such licenses
30 shall be applicable as otherwise provided in this section.

1 * * *

2 Section 8. Section 6122 of Title 18 is repealed:

3 [§ 6122. Proof of license and exception.

4 (a) General rule.--When carrying a firearm concealed on or
5 about one's person or in a vehicle, an individual licensed to
6 carry a firearm shall, upon lawful demand of a law enforcement
7 officer, produce the license for inspection. Failure to produce
8 such license either at the time of arrest or at the preliminary
9 hearing shall create a rebuttable presumption of nonlicensure.

10 (b) Exception.--An individual carrying a firearm on or about
11 his person or in a vehicle and claiming an exception under
12 section 6106(b) (relating to firearms not to be carried without
13 a license) shall, upon lawful demand of a law enforcement
14 officer, produce satisfactory evidence of qualification for
15 exception.]

16 Section 9. This act shall take effect in 60 days.