

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

No. 426 Session of  
2005

INTRODUCED BY MAITLAND, ARMSTRONG, FORCIER, BASTIAN, BOYD,  
CALTAGIRONE, CAPPELLI, CLYMER, CRAHALLA, DENLINGER, FLEAGLE,  
GEIST, GEORGE, GERGELY, HARRIS, HERSHEY, HESS, HUTCHINSON,  
M. KELLER, McILHATTAN, R. MILLER, S. MILLER, PHILLIPS,  
READSHAW, SAINATO, SAYLOR, STABACK, TIGUE AND WILT,  
FEBRUARY 14, 2005

REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 14, 2005

AN ACT

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

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

6 Section 1. Section 6109(e)(1) of Title 18 of the  
7 Pennsylvania Consolidated Statutes is amended to read:

8 § 6109. Licenses.

9 \* \* \*

10 (e) Issuance of license.--

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

1 any of the following:

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

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

9 (iii) An individual convicted of a crime enumerated  
10 in section 6105.

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

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

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

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

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

25 (ix) A resident of another state who does not  
26 possess a current license or permit or similar document  
27 to carry a firearm issued by that state if a license is  
28 provided for by the laws of that state, as published  
29 annually in the Federal Register by the Bureau of  
30 Alcohol, Tobacco and Firearms of the Department of the

Treasury under 18 U.S.C. § 921(a)(19) (relating to definitions). This subparagraph does not apply to any individual who is either a law enforcement officer to the United States, any other state or the District of Columbia, or licensed as a manufacturer, importer or dealer of firearms pursuant to 18 U.S.C. § 923 (relating to licensing).

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

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

(xii) An individual who is a fugitive from justice. This subparagraph does not apply to an individual whose fugitive status is based upon nonmoving or moving summary offense under Title 75 (relating to vehicles).

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

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Section 2. This act shall take effect immediately.