

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2401 Session of 1992

INTRODUCED BY GODSHALL, LLOYD, NAHILL, LEVDANSKY, COLAIZZO, MERRY, PHILLIPS, HERSHEY, LEH, KASUNIC, CORNELL, FAIRCHILD, ARMSTRONG, BLAUM, COY, CLARK, CIVERA, DeWEESE, GEIST, STABACK AND NICKOL, FEBRUARY 10, 1992

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES, SEPTEMBER 23, 1992

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for FIREARM LICENSES <—
3 IN CITIES OF THE FIRST CLASS AND FOR loans on, or lending or
4 giving firearms prohibited.

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

7 ~~Section 1. Section 6115 of Title 18 of the Pennsylvania <—~~
8 ~~Consolidated Statutes is amended to read:~~

9 SECTION 1. SECTIONS 6109(E)(2) AND 6115 OF TITLE 18 OF THE <—
10 PENNSYLVANIA CONSOLIDATED STATUTES ARE AMENDED TO READ:

11 § 6109. LICENSES.

12 * * *

13 (E) ISSUANCE OF LICENSE.--

14 * * *

15 (2) IN A CITY OF THE FIRST CLASS, A LICENSE SHALL BE
16 ISSUED ONLY IF IT ADDITIONALLY APPEARS THAT THE APPLICANT HAS
17 GOOD REASON TO FEAR AN INJURY TO THE APPLICANT'S PERSON OR

1 PROPERTY OR HAS ANY OTHER PROPER REASON FOR CARRYING A
2 FIREARM AND THAT THE APPLICANT IS A SUITABLE INDIVIDUAL TO BE
3 LICENSED. AN INDIVIDUAL WHO HAS HELD A VALID FIREARM LICENSE
4 FOR FIVE YEARS OR MORE IN A CITY OF THE FIRST CLASS SHALL NOT
5 BE REQUIRED TO TAKE A PROFICIENCY EXAMINATION.

6 * * *

7 § 6115. Loans on, or lending or giving firearms prohibited.

8 ~~No person shall make any loan secured by mortgage, deposit, <—~~
9 ~~or pledge of a firearm; nor shall any person lend or give a~~
10 ~~firearm to another unless that person is licensed to carry a~~
11 ~~firearm pursuant to section 6109 (relating to licenses) or is~~
12 ~~exempt from the licensing provision pursuant to section 6106(b)~~
13 ~~and (c) (relating to firearms not to be carried without a~~
14 ~~license) or otherwise deliver a firearm contrary to the~~
15 ~~provisions of this subchapter.~~

16 [NO] (A) GENERAL RULE.--EXCEPT AS PROVIDED IN SUBSECTION <—
17 (B), NO PERSON SHALL MAKE ANY LOAN SECURED BY MORTGAGE, DEPOSIT,
18 OR PLEDGE OF A FIREARM; NOR SHALL ANY PERSON LEND OR GIVE A
19 FIREARM TO ANOTHER OR OTHERWISE DELIVER A FIREARM CONTRARY TO
20 THE PROVISIONS OF THIS SUBCHAPTER.

21 (B) EXCEPTION.--

22 (1) SUBSECTION (A) SHALL NOT APPLY WHERE A FIREARM IS
23 LOANED OR GIVEN TO ANOTHER WHERE THE PERSON RECEIVING THE
24 FIREARM MEETS ANY ONE OR MORE OF THE FOLLOWING:

25 (I) THE PERSON IS LICENSED TO CARRY A FIREARM
26 PURSUANT TO SECTION 6109 (RELATING TO LICENSES).

27 (II) THE PERSON IS EXEMPT FROM THE LICENSING
28 PROVISION PURSUANT TO SECTION 6106(B) AND (C) (RELATING
29 TO FIREARMS NOT TO BE CARRIED WITHOUT A LICENSE).

30 (III) THE PERSON IS ENGAGED IN A HUNTER SAFETY

1 PROGRAM CERTIFIED BY THE PENNSYLVANIA GAME COMMISSION OR
2 A FIREARM TRAINING PROGRAM OR COMPETITION SANCTIONED OR
3 APPROVED BY THE NATIONAL RIFLE ASSOCIATION.

4 (2) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
5 PROHIBIT THE POSSESSION, OWNERSHIP OR TRANSFER OF A FIREARM
6 PURSUANT TO 20 PA.C.S. CH. 21 (RELATING TO INTESTATE
7 SUCCESSION) OR BY BEQUEST UNDER A WILL, PROVIDED HOWEVER,
8 THAT THE INDIVIDUAL RECEIVING OR POSSESSING THE FIREARM IS
9 NOT PRECLUDED FROM OWNING OR POSSESSING A FIREARM PURSUANT TO
10 SECTION 6105 (RELATING TO FORMER CONVICT NOT TO OWN A
11 FIREARM, ETC.).

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