

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 48 Session of 2021

INTRODUCED BY HUTCHINSON, K. WARD, ARNOLD, BARTOLOTTA, BROOKS, GORDNER, LANGERHOLC, MARTIN, PHILLIPS-HILL, REGAN AND J. WARD, JANUARY 20, 2021

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, JANUARY 20, 2021

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 35 (Health and
2 Safety) of the Pennsylvania Consolidated Statutes, in
3 firearms and other dangerous articles, further providing for
4 prohibited conduct during emergency; and, in the Governor and
5 disaster emergencies, further providing for general authority
6 of Governor.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 6107(a) and (b) of Title 18 of the
10 Pennsylvania Consolidated Statutes are amended to read:

11 § 6107. Prohibited conduct during emergency.

12 [(a) General rule.--No person shall carry a firearm upon the
13 public streets or upon any public property during an emergency
14 proclaimed by a State or municipal governmental executive unless
15 that person is:

16 (1) Actively engaged in a defense of that person's life
17 or property from peril or threat.

18 (2) Licensed to carry firearms under section 6109
19 (relating to licenses) or is exempt from licensing under

1 section 6106(b) (relating to firearms not to be carried
2 without a license).]

3 (b) Seizure, taking and confiscation.--[Except as otherwise
4 provided under subsection (a) and notwithstanding]
5 Notwithstanding the provisions of 35 Pa.C.S. Ch. 73 (relating to
6 Commonwealth services) or any other provision of law to the
7 contrary, no firearm, accessory or ammunition may be seized,
8 taken or confiscated during an emergency unless the seizure,
9 taking or confiscation would be authorized absent the emergency.

10 * * *

11 Section 2. Section 7301(f)(8) of Title 35 is amended to
12 read:

13 § 7301. General authority of Governor.

14 * * *

15 (f) Additional powers.--In addition to any other powers
16 conferred upon the Governor by law, the Governor may:

17 * * *

18 (8) Suspend or limit the sale, dispensing or
19 transportation of alcoholic beverages, [firearms,] explosives
20 and combustibles.

21 * * *

22 Section 3. This act shall take effect in 60 days.