
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2775 Session of
2022

INTRODUCED BY KINKEAD, SCHLOSSBERG, KINSEY, FRANKEL, SANCHEZ AND
FITZGERALD, AUGUST 22, 2022

REFERRED TO COMMITTEE ON JUDICIARY, AUGUST 22, 2022

AN ACT

1 Amending Titles 18 (Crimes and Offenses), 23 (Domestic
2 Relations) and 34 (Game) of the Pennsylvania Consolidated
3 Statutes, in inchoate crimes, further providing for
4 possession of firearm or other dangerous weapon in court
5 facility; in firearms and other dangerous articles, further
6 providing for definitions, for persons not to possess, use,
7 manufacture, control, sell or transfer firearms, for firearms
8 not to be carried without a license, for prohibited conduct
9 during emergency and for licenses, providing for firearm
10 eligibility license, for application for firearm eligibility
11 license, for fee and qualification, for investigations and
12 training course and for issuance and terms and further
13 providing for sale or transfer of firearms, for Pennsylvania
14 State Police, for loans on, or lending or giving firearms
15 prohibited, for proof of license and exception and for
16 administrative regulations; in protection from abuse, further
17 providing for relief; in hunting and furtaking, further
18 providing for cooperation after lawfully killing big game;
19 and, in protection of property and persons, further providing
20 for possession of firearm for protection of self or others.

21 The General Assembly of the Commonwealth of Pennsylvania
22 hereby enacts as follows:

23 Section 1. Section 913(b) (3) of Title 18 of the Pennsylvania
24 Consolidated Statutes is amended to read:

25 § 913. Possession of firearm or other dangerous weapon in court
26 facility.

27 * * *

1 (b) Grading.--

2 * * *

3 (3) An offense under subsection (a)(1) is a summary
4 offense if the person was carrying a firearm under section
5 6106(b) (relating to firearms not to be carried without a
6 license) or 6109 (relating to [licenses] license to carry)
7 and failed to check the firearm under subsection (e) prior to
8 entering the court facility.

9 * * *

10 Section 2. Section 6102 of Title 18 is amended by adding
11 definitions to read:

12 § 6102. Definitions.

13 Subject to additional definitions contained in subsequent
14 provisions of this subchapter which are applicable to specific
15 provisions of this subchapter, the following words and phrases,
16 when used in this subchapter shall have, unless the context
17 clearly indicates otherwise, the meanings given to them in this
18 section:

19 * * *

20 "Firearm eligibility license." A license issued by the
21 commissioner that authorizes a person to purchase a firearm.

22 * * *

23 "Qualified firearm instructor." A certified firearms
24 instructor who is recognized by the Pennsylvania State Police
25 and has one of the following:

26 (1) A valid qualified firearm instructor license issued
27 by the commissioner.

28 (2) A certificate issued by a nationally recognized
29 firearms organization.

30 * * *

1 Section 3. Section 6105(h) of Title 18 is amended and
2 subsection (c) is amended by adding a paragraph to read:
3 § 6105. Persons not to possess, use, manufacture, control, sell
4 or transfer firearms.

5 * * *

6 (c) Other persons.--In addition to any person who has been
7 convicted of any offense listed under subsection (b), the
8 following persons shall be subject to the prohibition of
9 subsection (a):

10 * * *

11 (11) A person who does not possess a valid firearm
12 eligibility license required under section 6109.1 (relating
13 to firearm eligibility license).

14 * * *

15 (h) License prohibition.--Any person who is prohibited from
16 possessing, using, controlling, selling, purchasing,
17 transferring or manufacturing any firearm under this section
18 shall not be eligible for or permitted to obtain a license to
19 carry a firearm under section 6109 (relating to [licenses]
20 license to carry).

21 * * *

22 Section 4. Sections 6106(a) and 6107(a)(2) of Title 18 are
23 amended to read:

24 § 6106. Firearms not to be carried without a license.

25 (a) Offense defined.--

26 (1) Except as provided in paragraph (2), any person who
27 carries a firearm in any vehicle or any person who carries a
28 firearm concealed on or about his person, except in his place
29 of abode or fixed place of business, without a valid and
30 lawfully issued license [under this chapter] to carry under

1 section 6109 (relating to license to carry) commits a felony
2 of the third degree.

3 (2) A person who is otherwise eligible to possess a
4 valid license [under this chapter] to carry under section
5 6109 but carries a firearm in any vehicle or any person who
6 carries a firearm concealed on or about his person, except in
7 his place of abode or fixed place of business, without a
8 valid and lawfully issued license to carry and has not
9 committed any other criminal violation commits a misdemeanor
10 of the first degree.

11 * * *

12 § 6107. Prohibited conduct during emergency.

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

17 * * *

18 (2) Licensed to carry firearms under section 6109
19 (relating to [licenses] license to carry) or is exempt from
20 licensing under section 6106(b) (relating to firearms not to
21 be carried without a license).

22 * * *

23 Section 5. Section 6109 heading, (c), (d)(4) and (5) of
24 Title 18 are amended, subsection (d) is amended by adding a
25 paragraph and subsection (e)(1) and (3) are amended by adding
26 subparagraphs to read:

27 § 6109. [Licenses.] License to carry.

28 * * *

29 (c) Form of application and content.--The application for a
30 license to carry a firearm shall be uniform throughout this

1 Commonwealth and shall be on a form prescribed by the
2 Pennsylvania State Police. The form may contain provisions, not
3 exceeding one page, to assure compliance with this section.
4 Issuing authorities shall use only the application form
5 prescribed by the Pennsylvania State Police. One of the
6 following reasons for obtaining a firearm license shall be set
7 forth in the application: self-defense, employment, hunting and
8 fishing, target shooting, gun collecting or another proper
9 reason. The application form shall be dated and signed by the
10 applicant and shall contain the following statement:

11 I am the holder of a valid firearm eligibility license. I
12 have never been convicted of a crime that prohibits me
13 from possessing or acquiring a firearm under Federal or
14 State law. I am of sound mind and have never been
15 committed to a mental institution. I hereby certify that
16 the statements contained herein are true and correct to
17 the best of my knowledge and belief. I understand that,
18 if I knowingly make any false statements herein, I am
19 subject to penalties prescribed by law. I authorize the
20 sheriff, or his designee, or, in the case of first class
21 cities, the chief or head of the police department, or
22 his designee, to inspect only those records or documents
23 relevant to information required for this application. If
24 I am issued a license and knowingly become ineligible to
25 legally possess or acquire firearms, I will promptly
26 notify the sheriff of the county in which I reside or, if
27 I reside in a city of the first class, the chief of
28 police of that city.

29 (d) Sheriff to conduct investigation.--The sheriff to whom
30 the application is made shall:

1 * * *

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

6 (5) conduct a criminal background, juvenile delinquency
7 and mental health check following the procedures set forth in
8 section 6111 (relating to sale or transfer of firearms),
9 receive a unique approval number for that inquiry and record
10 the date and number on the application[.]; and

11 (6) confirm with the Pennsylvania State Police that the
12 applicant holds a valid firearm eligibility license.

13 (e) Issuance of license.--

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

21 * * *

22 (xv) An individual who does not possess a valid
23 firearm eligibility license under section 6109.1
24 (relating to firearm eligibility license).

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

29 * * *

30 (vii) The number of the licensee's firearm

1 eligibility license.

2 * * *

3 Section 6. Title 18 is amended by adding sections to read:

4 § 6109.1. Firearm eligibility license.

5 (a) Required.--Except as provided in subsection (b), a
6 firearm eligibility license shall be required to purchase a
7 firearm within this Commonwealth.

8 (b) Exception.--Subsection (a) may not apply to any of the
9 following:

10 (1) A licensed firearms manufacturer.

11 (2) A dealer licensed under section 6113 (relating to
12 licensing of dealers).

13 (3) A law enforcement officer or person who is retired
14 in good standing from service with a law enforcement agency
15 of the United States, this Commonwealth or a local law
16 enforcement agency of this Commonwealth.

17 (4) A member or retired member of the armed forces of
18 the United States or the Pennsylvania National Guard.

19 (5) A person purchasing, owning, possessing or receiving
20 an antique firearm as defined in section 6118 (relating to
21 antique firearms) or reproductions or replicas of firearms if
22 the antique firearm, reproduction or replica is not suitable
23 for use.

24 § 6109.2. Application for firearm eligibility license.

25 (a) Place of application.--An individual may apply to an
26 issuing authority for a firearm eligibility license. If the
27 applicant is a resident of this Commonwealth, the applicant must
28 apply with the sheriff of the county in which the applicant
29 resides. If the applicant lives in a city of the first class,
30 the applicant must apply with the chief of police of the city.

1 (b) Form of application and content.--The application for a
2 firearm eligibility license shall be uniform across this
3 Commonwealth and shall be on a form prescribed by the
4 Pennsylvania State Police. Each application shall be signed and
5 dated by the applicant. The form may contain provisions, not
6 exceeding one page, to assure compliance with this section.
7 Issuing authorities shall use only the application form
8 prescribed by the Pennsylvania State Police. The application
9 shall contain the following statement:

10 I have never been convicted of a crime that prohibits me
11 from possessing or acquiring a firearm under Federal or
12 State law. I am of sound mind and have never been
13 committed to a mental institution. I hereby certify that
14 the statements contained herein are true and correct to
15 the best of my knowledge and belief. I understand that,
16 if I knowingly make any false statement herein, I am
17 subject to penalties prescribed by law. I authorize the
18 sheriff or the sheriff's designee, or the chief of the
19 police department or the chief's designee, to inspect
20 only those records or documents relevant to the
21 information required for this application. If I am issued
22 a license and knowingly become ineligible to legally
23 possess or acquire firearms, I will promptly notify the
24 sheriff of the county in which I reside or, if I reside
25 in a city of the first class, the chief of police of that
26 city.

27 § 6109.3. Fee and qualification.

28 (a) Firearm eligibility license fee.--

29 (1) The fees for a firearm eligibility license are as
30 follows:

1 (i) Fifty dollars for the original license.

2 (ii) Thirty dollars for a license renewal which
3 includes the following:

4 (A) A renewal processing fee of \$1.50.

5 (B) An administrative fee of \$5 under section
6 14(2) of the act of July 6, 1984 (P.L.614, No.127),
7 known as the Sheriff Fee Act.

8 (C) An administrative fee of \$2 for the costs of
9 completing the background investigation under section
10 6109.2(b) (relating to application for firearm
11 eligibility license). This fee shall be deposited
12 into the Firearms Instant Records Check Fund under
13 section 6111.2 (relating to firearm sales surcharge).

14 (2) All license fees remaining after the deduction under
15 paragraph (1) shall be deposited in the General Fund.

16 (3) No fee other than under this section or the Sheriff
17 Fee Act may be assessed by the issuing authority for the cost
18 of a background check performed in the process of issuing a
19 firearm eligibility license.

20 (b) Qualifications for license.--The issuing authority shall
21 issue a firearm eligibility license to an applicant who meets
22 the following criteria:

23 (1) Be at least 18 years of age.

24 (2) Be a resident of this Commonwealth.

25 (3) Within three years prior to the submission of the
26 application, demonstrate satisfactory completion of a
27 certified firearms training course approved by the
28 commissioner that includes all the following:

29 (i) A minimum of 16 hours of instruction by a
30 qualified firearm instructor.

1 (ii) Classroom instruction on all the following:

2 (A) Commonwealth firearm law.

3 (B) Home firearm safety.

4 (C) Firearm mechanisms and operations.

5 (iii) A firearms orientation component that
6 demonstrates the person's safe operation, handling and
7 use of a firearm.

8 (4) Is not prohibited by Federal or State law from
9 purchasing or possessing a firearm. For purposes of
10 determining this, the following shall apply:

11 (i) The applicant shall provide a full set of
12 fingerprints to the Pennsylvania State Police.

13 (ii) The Pennsylvania State Police shall submit the
14 fingerprints to the Federal Bureau of Investigation to
15 verify the identity of the applicant and obtain a current
16 record of criminal arrests and convictions.

17 § 6109.4. Investigations and training course.

18 (a) Firearms training course.--The commissioner has the
19 following powers and duties:

20 (1) To promulgate guidelines setting forth the
21 requirements to become a qualified firearm instructor in this
22 Commonwealth.

23 (2) To designate any program as a certified firearm
24 training course if the program meets the minimum requirements
25 established by the commissioner.

26 (b) Waiver of training course.--An applicant for a firearm
27 eligibility license is not required to complete a firearm safety
28 training course under subsection (a) if the applicant is any of
29 the following:

30 (1) A qualified firearm instructor.

1 (2) A member or honorably discharged member of the armed
2 forces of the United States or the National Guard.

3 (3) A police officer, as defined in 53 Pa.C.S. § 2162
4 (relating to definitions) who is certified under 53 Pa.C.S.
5 Ch. 21 Subch. D (relating to municipal police education and
6 training). The term includes a school police officer
7 appointed under section 1302-C of the act of March 10, 1949
8 (P.L.30, No.14), known as the Public School Code of 1949.

9 (4) An active or retired Federal or State law
10 enforcement officer.

11 (5) Certified under 61 Pa.C.S. Ch. 63 (relating to
12 county probation officers' firearm education and training).

13 (6) A Commonwealth or county corrections officer or
14 probation or parole agent.

15 (7) A county sheriff, deputy sheriff or constable.

16 (8) The lawful owner of a firearm prior to the effective
17 date of this subsection.

18 (c) Conduct of investigation.--The issuing authority to whom
19 the application is made shall:

20 (1) Investigate the applicant's record of criminal
21 conviction.

22 (2) Review the applicant's completed Federal criminal
23 history check.

24 (3) Investigate whether the applicant would be precluded
25 from or is prohibited from possessing, using, controlling,
26 selling, purchasing, transferring or manufacturing a firearm
27 under section 6105 (relating to persons not to possess, use,
28 manufacture, control, sell or transfer firearms).

29 (4) Conduct a criminal background, juvenile delinquency
30 and mental health check following the procedures set forth in

1 section 6111 (relating to sale or transfer of firearms),
2 receive a unique approval number for that inquiry and record
3 the date and number on the application.

4 (d) Notice to issuing authority.--Notwithstanding any other
5 law to the contrary, a court, mental health review officer or
6 county administrator for mental health and intellectual
7 disability services shall notify the issuing authority of the
8 county or city in which an individual holds a firearm
9 eligibility license on a form prescribed by the Pennsylvania
10 State Police within seven days of the individual's conviction or
11 adjudication or upon determination of any of the following:

12 (1) A crime specified in section 6105(a) or (b).

13 (2) A crime punishable by imprisonment exceeding one
14 year.

15 (3) Conduct that meets the criteria of section 6105(c)
16 (1), (2), (3), (5), (6) or (9).

17 (4) Incompetency.

18 (5) Involuntary commitment to a mental institution for
19 inpatient care and treatment under the act of July 9, 1976
20 (P.L.817, No.143), known as the Mental Health Procedures Act.

21 (6) Involuntary treatment for an individual meeting the
22 criteria of section 6105(c)(4).

23 (e) Immunity.--An issuing authority which complies in good
24 faith with this section shall be immune from liability resulting
25 or arising from the action of misconduct with a firearm
26 committed by an individual who was issued a firearm eligibility
27 license.

28 (f) Definition.--As used in this section, the term "issuing
29 authority" shall mean a county sheriff or chief of police of a
30 city of the first class.

1 § 6109.5. Issuance and terms.

2 (a) Issuance of license.--

3 (1) If the applicant meets the requirements of this
4 section, a firearm eligibility license shall be issued. A
5 license may not be issued to an individual who is prohibited
6 from possessing, using, controlling, selling, purchasing,
7 transferring or manufacturing a firearm under section 6105
8 (relating to persons not to possess, use, manufacture,
9 control, sell or transfer firearms) or under any other
10 Federal or State law.

11 (2) The firearm eligibility license shall be designed to
12 be uniform throughout this Commonwealth and shall be in a
13 form prescribed by the Pennsylvania State Police. The license
14 shall bear the following:

15 (i) The name, address, date of birth, race, sex,
16 citizenship, height, weight, color of hair, color of eyes
17 and signature of the licensee.

18 (ii) The signature of the issuing authority.

19 (iii) A license number of which the first two
20 numbers shall be a county location code. The remaining
21 numbers shall be issued in numerical sequence.

22 (iv) The period of validation.

23 (3) The firearm eligibility license shall include a
24 photograph of the licensee. The photograph shall be in a form
25 compatible with the Commonwealth Photo Imaging Network.

26 (4) The original firearm eligibility license shall be
27 issued to the applicant. The first copy of the license shall
28 be forwarded to the Pennsylvania State Police within seven
29 days of the date of issuance. The second copy shall be
30 retained by the issuing authority for a period of seven

1 years. Except under a court order, both copies and the
2 application shall, at the end of the seven-year period, be
3 destroyed unless the license has been renewed.

4 (b) Grant or denial of license.--Upon receipt of an
5 application for a firearm eligibility license, the issuing
6 authority shall issue or refuse to issue within 30 days a
7 license on the basis of the investigation under subsection (d)
8 and the accuracy of the information contained in the
9 application. If the issuing authority refuses to issue a
10 license, the issuing authority shall notify the applicant in
11 writing of the refusal and the specific reason. The notice shall
12 be sent by certified mail to the applicant at the address
13 included in the application.

14 (c) Term of license.--

15 (1) A firearm eligibility license issued under
16 subsection (e) shall be valid throughout this Commonwealth
17 for a period of five years unless extended under paragraph
18 (3) or revoked.

19 (2) At least 60 days prior to the expiration of each
20 license, the issuing authority shall send to the licensee an
21 application for renewal of the license. Failure to receive a
22 renewal application shall not relieve a licensee from the
23 responsibility to renew the license.

24 (3) Notwithstanding paragraph (1) or any other
25 provisions of law to the contrary, a firearm eligibility
26 license that is held by a member of the United States Armed
27 Forces or the Pennsylvania National Guard on Federal active
28 duty and deployed overseas that is scheduled to expire during
29 the period of deployment shall be extended until 90 days
30 after the end of the deployment.

1 (4) Possession of a firearm eligibility license,
2 together with a copy of the person's military orders showing
3 the dates of the overseas deployment, including the date that
4 the overseas deployment ends, shall constitute a defense to
5 any charge filed under this section during the extension
6 period.

7 (d) Revocation.--

8 (1) A firearm eligibility license may be revoked by the
9 issuing authority for any reason under section 6105(b) or (c)
10 if the violation occurs during the term of the license. The
11 revocation shall be in accordance with the following:

12 (i) Notice of revocation shall:

13 (A) Be in writing and shall state the specific
14 reason for revocation.

15 (B) Be sent by certified mail to the individual.

16 (C) Be provided to the Pennsylvania State Police
17 by electronic means including e-mail or facsimile
18 transmission.

19 (ii) An individual who has had a license revoked may
20 appeal to the court of common pleas for the judicial
21 district in which the individual resides.

22 (2) Anyone who violates this subsection commits a
23 summary offense.

24 (e) Immunity.--An issuing authority which complies in good
25 faith with this section shall be immune from liability resulting
26 or arising from the action of misconduct with a firearm
27 committed by an individual who was issued a firearm eligibility
28 license.

29 (f) Reciprocity.--The Attorney General shall:

30 (1) Have the power and duty to enter into reciprocity

1 agreements with other states providing for the mutual
2 recognition of a firearm eligibility license issued by the
3 Commonwealth and a firearm eligibility license or permit
4 issued by another state.

5 (2) Have the power to negotiate reciprocity agreements
6 and grant recognition to a firearm eligibility license or
7 permit issued by another state.

8 (3) Report to the General Assembly within 180 days of
9 the effective date of this paragraph and annually thereafter
10 on the agreements which have been made under this section.

11 (g) Definition.--As used in this section, the term "issuing
12 authority" means a county sheriff or chief of police of a city
13 of the first class.

14 Section 7. Section 6111(b)(1.1)(iii), (f)(3) and (g)(4)(iii)
15 of Title 18 are amended and subsection (b) is amended by adding
16 a paragraph to read:

17 § 6111. Sale or transfer of firearms.

18 * * *

19 (b) Duty of seller.--No licensed importer, licensed
20 manufacturer or licensed dealer shall sell or deliver any
21 firearm to another person, other than a licensed importer,
22 licensed manufacturer, licensed dealer or licensed collector,
23 until the conditions of subsection (a) have been satisfied and
24 until he has:

25 * * *

26 (1.1) On the date of publication in the Pennsylvania
27 Bulletin of a notice by the Pennsylvania State Police that
28 the instantaneous records check has been implemented, all of
29 the following shall apply:

30 * * *

1 (iii) For purposes of conducting the criminal
2 history, juvenile delinquency and mental health records
3 background check which shall be completed within ten days
4 of receipt of the information from the dealer, the
5 application/record of sale shall include the name,
6 address, birthdate, gender, race, physical description
7 [and], Social Security number of the purchaser or
8 transferee, the purchaser or transferee's firearm
9 eligibility license number and the date of application.

10 * * *

11 (2.1) Inspected the firearm eligibility license of the
12 potential purchaser or transferee.

13 * * *

14 (f) Application of section.--

15 * * *

16 (3) The provisions contained in subsection (a) shall not
17 apply to any law enforcement officer whose current
18 identification as a law enforcement officer shall be
19 construed as a valid license to carry a firearm or any person
20 who possesses a valid license to carry a firearm under
21 section 6109 (relating to [licenses] license to carry).

22 * * *

23 (g) Penalties.--

24 * * *

25 (4) Any person, purchaser or transferee commits a felony
26 of the third degree if, in connection with the purchase,
27 delivery or transfer of a firearm under this chapter, he
28 knowingly and intentionally:

29 * * *

30 (iii) willfully furnishes or exhibits any false

1 identification, including a false firearm eligibility
2 license, intended or likely to deceive the seller,
3 licensed dealer or licensed manufacturer.

4 * * *

5 Section 8. Section 6111.1(b)(2) and (3) and (e)(1) of Title
6 18 are amended and subsections (b) and (i) are amended by adding
7 paragraphs to read:

8 § 6111.1. Pennsylvania State Police.

9 * * *

10 (b) Duty of Pennsylvania State Police.--

11 * * *

12 (1.1) Upon receipt of an application for a firearm
13 eligibility license under section 6109.1 (relating to firearm
14 eligibility license), the Pennsylvania State Police shall
15 immediately:

16 (i) Review the Pennsylvania State Police criminal
17 history and fingerprint records to determine whether the
18 applicant is prohibited from receipt or possession of a
19 firearm under Federal or State law.

20 (ii) Review the juvenile delinquency and mental
21 health records of the Pennsylvania State Police to
22 determine whether the applicant is prohibited from
23 receipt or possession of a firearm under Federal or State
24 law.

25 (iii) Inform the issuing authority of one of the
26 following:

27 (A) That the issuance of a firearm eligibility
28 license is prohibited.

29 (B) The individual is cleared for a firearm
30 eligibility license. If the Pennsylvania State Police

1 determine that the individual is eligible, the
2 Pennsylvania State Police shall provide the issuing
3 authority with the individual's firearm eligibility
4 license.

5 (2) In the event of electronic failure, scheduled
6 computer downtime or similar event beyond the control of the
7 Pennsylvania State Police, the Pennsylvania State Police
8 shall immediately notify the requesting licensee under
9 paragraph (1) or the applicant under paragraph (1.1) of the
10 reason for and estimated length of the delay. If the failure
11 or event lasts for a period exceeding 48 hours, the dealer
12 shall not be subject to any penalty for completing a
13 transaction absent the completion of an instantaneous records
14 check for the remainder of the failure or similar event, but
15 the dealer shall obtain a completed application/record of
16 sale following the provisions of section 6111(b)(1) and (1.1)
17 (relating to sale or transfer of firearms) as if an
18 instantaneous records check has not been established for any
19 sale or transfer of a firearm for the purpose of a subsequent
20 background check.

21 (3) The Pennsylvania State Police shall fully comply,
22 execute and enforce the directives of this section as
23 follows:

24 (i) The instantaneous background check for firearms
25 as defined in section 6102 (relating to definitions)
26 shall begin on July 1, 1998.

27 (ii) The instantaneous background check for firearms
28 that exceed the barrel lengths set forth in section 6102
29 shall begin on the later of:

30 (A) the date of publication of the notice under

1 section 6111(a)(2); or

2 (B) December 31, 1998.

3 (iii) The instantaneous background check for a
4 firearm eligibility license shall take effect on the
5 effective date of this subparagraph.

6 * * *

7 (e) Challenge to records.--

8 (1) Any person who is denied a firearm eligibility
9 license or is denied the right to receive, sell, transfer,
10 possess, carry, manufacture or purchase a firearm as a result
11 of the procedures established by this section may challenge
12 the accuracy of that person's criminal history, juvenile
13 delinquency history or mental health record pursuant to a
14 denial by the instantaneous records check by submitting a
15 challenge to the Pennsylvania State Police within 30 days
16 from the date of the denial.

17 * * *

18 (i) Reports.--The Pennsylvania State Police shall annually
19 compile and report to the General Assembly, on or before
20 December 31, the following information for the previous year:

21 * * *

22 (1.1) number of firearm eligibility license applications
23 submitted, number of applications denied, number of
24 challenges of the denials and number of reversals of initial
25 denials;

26 * * *

27 Section 9. Sections 6115(b)(1)(i), 6122(a) and 6124 of Title
28 18 are amended to read:

29 § 6115. Loans on, or lending or giving firearms prohibited.

30 * * *

1 (b) Exception.--

2 (1) Subsection (a) shall not apply if any of the
3 following apply:

4 (i) The person who receives the firearm is licensed
5 to carry a firearm under section 6109 (relating to
6 [licenses] license to carry).

7 * * *

8 § 6122. Proof of license and exception.

9 (a) General rule.--When carrying a firearm concealed on or
10 about one's person or in a vehicle, an individual licensed to
11 carry a firearm shall, upon lawful demand of a law enforcement
12 officer, produce the [license] individual's firearm eligibility
13 license and license to carry for inspection. Failure to produce
14 such license either at the time of arrest or at the preliminary
15 hearing shall create a rebuttable presumption of nonlicensure.

16 * * *

17 § 6124. Administrative regulations.

18 The commissioner may establish form specifications and
19 regulations, consistent with [section] sections 6109(c)
20 (relating to [licenses] license to carry) and 6109.1 (relating
21 to firearm eligibility license), with respect to uniform forms
22 control, including the following:

- 23 (1) License to carry firearms.
24 (2) Firearm registration.
25 (3) Dealer's license.
26 (4) Application for purchase of a firearm.
27 (5) Record of sale of firearms.
28 (6) Firearm eligibility license.

29 Section 10. Section 6108(a)(7) introductory paragraph of
30 Title 23 is amended to read:

1 § 6108. Relief.

2 (a) General rule.--Subject to subsection (a.1), the court
3 may grant any protection order or approve any consent agreement
4 to bring about a cessation of abuse of the plaintiff or minor
5 children. The order or agreement may include:

6 * * *

7 (7) Prohibiting the defendant from acquiring or
8 possessing any firearm for the duration of the order,
9 ordering the defendant to temporarily relinquish to the
10 sheriff or the appropriate law enforcement agency any
11 firearms under the defendant's possession or control, and
12 requiring the defendant to relinquish to the sheriff or the
13 appropriate law enforcement agency any firearm license issued
14 under section 6108.3 (relating to relinquishment to third
15 party for safekeeping) or 18 Pa.C.S. § 6106 (relating to
16 firearms not to be carried without a license) or 6109
17 (relating to [licenses] license to carry) the defendant may
18 possess. The court may also order the defendant to relinquish
19 the defendant's other weapons or ammunition that have been
20 used or been threatened to be used in an incident of abuse
21 against the plaintiff or the minor children. A copy of the
22 court's order shall be transmitted to the chief or head of
23 the appropriate law enforcement agency and to the sheriff of
24 the county of which the defendant is a resident. When
25 relinquishment is ordered, the following shall apply:

26 * * *

27 Section 11. Sections 2325(a.1) and 2525(a) of Title 34 are
28 amended to read:

29 § 2325. Cooperation after lawfully killing big game.

30 * * *

1 (a.1) Exception.--Nothing in this section shall prohibit any
2 person from carrying a loaded handgun in the field provided that
3 person is in compliance with 18 Pa.C.S. § 6109 (relating to
4 [licenses] license to carry).

5 * * *

6 § 2525. Possession of firearm for protection of self or others.

7 (a) General rule.--It is lawful for a law enforcement officer
8 or any person who possesses a valid license to carry a firearm
9 issued under 18 Pa.C.S. § 6109 (relating to [licenses] license
10 to carry) to be in possession of a loaded or unloaded firearm
11 while engaged in any activity regulated by this title.

12 * * *

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