

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 659 Session of 2021

INTRODUCED BY BERNSTINE, MALONEY, GREGORY, BOROWICZ, ROWE, DIAMOND, SCHMITT, STRUZZI, HAMM, METCALFE, GROVE, COOK, SMITH, DUNBAR, ECKER, ZIMMERMAN, CAUSER, KAUFFMAN, IRVIN, STAMBAUGH, ORTITAY, PICKETT, SANKEY, GREINER, FRITZ, ARMANINI, KERWIN, LEWIS, COX, PUSKARIC, PENNYCUICK, WARNER, JONES, KEEFER, DAVANZO, SNYDER, O'NEAL, GLEIM, E. NELSON, KAIL, KLUNK, MUSTELLO, HICKERNELL, DOWLING, MARSHALL, TOPPER, RYAN, GILLEN, GAYDOS, LEWIS DELROSSO, MIHALEK, SCHEMEL, OBERLANDER, MARKOSEK, OWLETT, SAYLOR, FLOOD, SAINATO, WHEELAND, HERSHEY, WENTLING, HEFFLEY, RAPP, PEIFER, MILLARD, KNOWLES, RIGBY AND BONNER, MAY 17, 2021

REFERRED TO COMMITTEE ON JUDICIARY, MAY 17, 2021

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania  
 2 Consolidated Statutes, in firearms and other dangerous  
 3 articles, repealing provisions relating to firearms not to be  
 4 carried without a license, providing for license not  
 5 required, repealing provisions relating to carrying firearms  
 6 on public streets or public property in Philadelphia,  
 7 providing for sportsman's firearm permit, further providing  
 8 for licenses and repealing provisions relating to proof of  
 9 license and exception.

10 The General Assembly finds that:

11 (1) The laws in existence regulating firearms licensing  
 12 are ineffectual in preventing crime and only interfere with  
 13 the natural rights of law-abiding citizens.

14 (2) It is necessary to codify the inherent right to the  
 15 carrying of firearms, whether openly or concealed, and that  
 16 the right to self-defense is an inherent natural right that  
 17 shall not be questioned as stated in section 21 of Article I

1 of the Constitution of Pennsylvania.

2 The General Assembly of the Commonwealth of Pennsylvania  
3 hereby enacts as follows:

4 Section 1. Section 6106 of Title 18 of the Pennsylvania  
5 Consolidated Statutes is repealed:

6 [§ 6106. Firearms not to be carried without a license.]

7 (a) Offense defined.--

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

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

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

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

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

29 (3) The regularly enrolled members of any organization  
30 duly organized to purchase or receive such firearms from the

1 United States or from this Commonwealth.

2 (4) Any persons engaged in target shooting with a  
3 firearm, if such persons are at or are going to or from their  
4 places of assembly or target practice and if, while going to  
5 or from their places of assembly or target practice, the  
6 firearm is not loaded.

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

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

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

18 (8) Any person while carrying a firearm which is not  
19 loaded and is in a secure wrapper from the place of purchase  
20 to his home or place of business, or to a place of repair,  
21 sale or appraisal or back to his home or place of business,  
22 or in moving from one place of abode or business to another  
23 or from his home to a vacation or recreational home or  
24 dwelling or back, or to recover stolen property under section  
25 6111.1(b)(4) (relating to Pennsylvania State Police), or to a  
26 place of instruction intended to teach the safe handling, use  
27 or maintenance of firearms or back or to a location to which  
28 the person has been directed to relinquish firearms under 23  
29 Pa.C.S. § 6108 (relating to relief) or back upon return of  
30 the relinquished firearm or to a licensed dealer's place of

1 business for relinquishment pursuant to 23 Pa.C.S. § 6108.2  
2 (relating to relinquishment for consignment sale, lawful  
3 transfer or safekeeping) or back upon return of the  
4 relinquished firearm or to a location for safekeeping  
5 pursuant to 23 Pa.C.S. § 6108.3 (relating to relinquishment  
6 to third party for safekeeping) or back upon return of the  
7 relinquished firearm.

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

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

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

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

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

30 (14) A person lawfully engaged in the interstate

1 transportation of a firearm as defined under 18 U.S.C. §  
2 921(a)(3) (relating to definitions) in compliance with 18  
3 U.S.C. § 926A (relating to interstate transportation of  
4 firearms).

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

10 (i) The state provides a reciprocal privilege for  
11 individuals licensed to carry firearms under section  
12 6109.

13 (ii) The Attorney General has determined that the  
14 firearm laws of the state are similar to the firearm laws  
15 of this Commonwealth.

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

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

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

1 dogs. The sportsman's firearm permit shall be in triplicate  
2 on a form to be furnished by the Pennsylvania State Police.  
3 The original permit shall be delivered to the person, and the  
4 first copy thereof, within seven days, shall be forwarded to  
5 the Commissioner of the Pennsylvania State Police by the  
6 county treasurer. The second copy shall be retained by the  
7 county treasurer for a period of two years from the date of  
8 expiration. The county treasurer shall be entitled to collect  
9 a fee of not more than \$6 for each such permit issued, which  
10 shall include the cost of any official form. The Pennsylvania  
11 State Police may recover from the county treasurer the cost  
12 of any such form, but may not charge more than \$1 for each  
13 official permit form furnished to the county treasurer.

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

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

21 (e) Definitions.--

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

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

1 Section 2. Title 18 is amended by adding a section to read:

2 § 6106.2. License not required.

3 (a) Declaration.--Notwithstanding any other provision of  
4 law, every person present in this Commonwealth shall have an  
5 affirmative, fundamental and constitutional right to keep and  
6 bear firearms, including the right to carry openly or concealed,  
7 carry loaded or unloaded, train with, transport, possess, use,  
8 acquire, purchase, transfer, inherit, buy, sell, give or  
9 otherwise dispose of or receive any firearm without a license  
10 from this Commonwealth or this Commonwealth's political  
11 subdivisions.

12 (b) Optional license.--Obtaining a license to carry a  
13 firearm under this chapter shall be optional. The voluntary  
14 nature of the license shall not be construed to require that any  
15 person obtain a license to carry a firearm under this chapter.

16 Section 3. Section 6108 of Title 18 is repealed:

17 [§ 6108. Carrying firearms on public streets or public property  
18 in Philadelphia.

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

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

23 (2) such person is exempt from licensing under section  
24 6106(b) of this title (relating to firearms not to be carried  
25 without a license).]

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

27 § 6108.1. Sportsman's firearm permit.

28 (a) Permit allowed.--Any person 18 years of age or older who  
29 has been issued a hunting license, trapping license or fishing  
30 license or who has been issued a permit relating to hunting dogs

1 may, at the time of obtaining his hunting, trapping or fishing  
2 license or any time after the license has been issued, obtain a  
3 sportsman's firearm permit from the county treasurer.

4 (b) Issuance.--The sportsman's firearm permit shall be  
5 issued immediately and shall be valid throughout this  
6 Commonwealth for a period of five years from the date of issue  
7 for any legal firearm when carried in conjunction with a valid  
8 hunting, furtaking or fishing license or permit relating to  
9 hunting dogs.

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

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

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

27 Section 5. Section 6109(a), (b), (c), (d) heading,  
28 introductory paragraph, (3), (4) and (5), (e)(1) introductory  
29 paragraph, (i), (v) and (vii), (3) introductory paragraph and  
30 (ii) and (4), (f)(2) and (4), (g), (h)(3) and (4), (i.1) heading

1 and (1), (j) and (m.1)(1) introductory paragraph and (ii), (2),  
2 (3), (4), (7) and (9) of Title 18 are amended to read:  
3 § 6109. Licenses.

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

7 (1) Due to every person present in this Commonwealth  
8 having a fundamental constitutional right to keep and bear  
9 arms, obtaining a license under this section shall be  
10 optional. Nothing in this section shall be construed to  
11 require that a person must obtain a license under this  
12 section in order to carry a concealed firearm.

13 (2) The voluntary nature of a license to carry a firearm  
14 may not be construed to relieve the issuing authority of the  
15 burden of proof for denying an application for a license.

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

20 (4) A license to carry a firearm shall provide a person  
21 with the ability to carry a firearm in any state with which  
22 the Commonwealth maintains a reciprocal agreement for the  
23 mutual recognition of licenses to carry firearms.

24 (b) Place of application.--An individual [who is 21 years of  
25 age or older] may apply to [a sheriff] the proper issuing  
26 authority for a license to carry a firearm [concealed on or  
27 about his person or in a vehicle] within this Commonwealth. If  
28 the applicant is a resident of this Commonwealth, he shall make  
29 application with the sheriff of the county in which he resides  
30 or, if a resident of a city of the first class, with the chief

1 of police of that city. If the applicant is not a resident of  
2 this Commonwealth, he shall make application with the sheriff of  
3 any county.

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

16 I have never been convicted of a crime that prohibits me  
17 from possessing or acquiring a firearm under Federal or  
18 State law. I am of sound mind and have never been  
19 involuntarily committed to a mental institution. In the  
20 alternative my right to possess a firearm has been  
21 legally restored. I hereby certify that the statements  
22 contained herein are true and correct to the best of my  
23 knowledge and belief. I understand that, if I knowingly  
24 make any false statements herein, I am subject to  
25 penalties prescribed by law. I authorize the [sheriff, or  
26 his designee, or, in the case of first class cities, the  
27 chief or head of the police department] issuing  
28 authority, or his designee, to inspect only those records  
29 or documents relevant to information required for this  
30 application. If I am issued a license and knowingly

1           become ineligible to legally possess or acquire firearms,  
2           I will promptly notify the [sheriff of the county in  
3           which I reside or, if I reside in a city of the first  
4           class, the chief of police of that city] issuing  
5           authority.

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

9           \* \* \*

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

13           (4) investigate whether the applicant would be precluded  
14 from receiving a license under subsection (e) (1) or section  
15 6105(h) [(relating to persons not to possess, use,  
16 manufacture, control, sell or transfer firearms)]; and

17           (5) conduct a criminal background, juvenile delinquency  
18 and mental health check following the procedures set forth in  
19 section 6111 (relating to sale or transfer of firearms),  
20 receive a unique approval number for that inquiry and record  
21 the date and number on the application.

22           (e) Issuance of license.--

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

30           [(i) An individual whose character and reputation is

1 such that the individual would be likely to act in a  
2 manner dangerous to public safety.]

3 \* \* \*

4 (v) An individual who is not of sound mind or who  
5 has ever been involuntarily committed to a mental  
6 institution[.], unless the involuntary commitment has  
7 been expunged, vacated or granted relief from a  
8 prohibition to possess a firearm.

9 \* \* \*

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

11 \* \* \*

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

16 \* \* \*

17 (ii) The signature of the [sheriff] authority  
18 issuing the license.

19 \* \* \*

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

24 \* \* \*

25 (f) Term of license.--

26 \* \* \*

27 (2) At least 60 days prior to the expiration of each  
28 license, the issuing [sheriff] authority shall send to the  
29 licensee an application for renewal of license. Failure to  
30 receive a renewal application shall not relieve a licensee

1 from the responsibility to renew the license.

2 \* \* \*

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

11 (g) Grant or denial of license.--Upon the receipt of an  
12 application for a license to carry a firearm, the [sheriff]  
13 issuing authority shall, within [45] 14 calendar days, issue or  
14 refuse to issue a license on the basis of the investigation  
15 under subsection (d) and the accuracy of the information  
16 contained in the application. If the [sheriff] issuing authority  
17 refuses to issue a license, the [sheriff] issuing authority  
18 shall notify the applicant in writing of the refusal and the  
19 specific reasons. The notice shall be sent by certified mail to  
20 the applicant at the address set forth in the application.

21 (h) Fee.--

22 \* \* \*

23 (3) An additional fee of \$1 shall be paid by the  
24 applicant for a license to carry a firearm and shall be  
25 remitted by the [sheriff] issuing authority to the Firearms  
26 License Validation System Account, which is hereby  
27 established as a special restricted receipt account within  
28 the General Fund of the State Treasury. The account shall be  
29 used for purposes under subsection (1). Moneys credited to  
30 the account and any investment income accrued are hereby

1 appropriated on a continuing basis to the Pennsylvania State  
2 Police.

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

7 \* \* \*

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

9 Notwithstanding any statute to the contrary:

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

24 \* \* \*

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

30 \* \* \*

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

2 (1) A person seeking a temporary emergency license to  
3 carry a concealed firearm shall submit to the [sheriff]  
4 issuing authority of the county in which the person resides  
5 all of the following:

6 \* \* \*

7 (ii) A sworn affidavit that contains the information  
8 required on an application for a license to carry a  
9 firearm and attesting that the person is 21 years of age  
10 or older, is not prohibited from owning firearms under  
11 section 6105 [(relating to persons not to possess, use,  
12 manufacture, control, sell or transfer firearms)] or any  
13 other Federal or State law and is not currently subject  
14 to a protection from abuse order or a protection order  
15 issued by a court of another state.

16 \* \* \*

17 (2) Upon receipt of the items required under paragraph  
18 (1), the [sheriff] issuing authority immediately shall  
19 conduct a criminal history, juvenile delinquency and mental  
20 health record check of the applicant pursuant to section  
21 6105. Immediately upon receipt of the results of the records  
22 check, the [sheriff] issuing authority shall review the  
23 information and shall determine whether the applicant meets  
24 the criteria set forth in this subsection. If the [sheriff]  
25 issuing authority determines that the applicant has met all  
26 of the criteria, the [sheriff] issuing authority shall  
27 immediately issue the applicant a temporary emergency license  
28 to carry a concealed firearm.

29 (3) If the [sheriff] issuing authority refuses to issue  
30 a temporary emergency license, the [sheriff] issuing

1 authority shall specify the grounds for the denial in a  
2 written notice to the applicant. The applicant may appeal the  
3 denial or challenge criminal records check results that were  
4 the basis of the denial, if applicable, in the same manner as  
5 a denial of a license to carry a firearm under this section.

6 (4) A temporary emergency license issued under this  
7 subsection shall be valid for 45 days and may not be renewed.  
8 A person who has been issued a temporary emergency license  
9 under this subsection shall not be issued another temporary  
10 emergency license unless at least five years have expired  
11 since the issuance of the prior temporary emergency license.  
12 During the 45 days the temporary emergency license is valid,  
13 the [sheriff] issuing authority shall conduct an additional  
14 investigation of the person for the purposes of determining  
15 whether the person may be issued a license pursuant to this  
16 section. If, during the course of this investigation, the  
17 [sheriff] issuing authority discovers any information that  
18 would have prohibited the issuance of a license pursuant to  
19 this section, the [sheriff] issuing authority shall be  
20 authorized to revoke the temporary emergency license as  
21 provided in subsection (i).

22 \* \* \*

23 (7) [A sheriff] An issuing authority who issues a  
24 temporary emergency license to carry a firearm shall retain,  
25 for the entire period during which the temporary emergency  
26 license is in effect, the evidence of imminent danger that  
27 the applicant submitted to the [sheriff] issuing authority  
28 that was the basis for the license, or a copy of the  
29 evidence, as appropriate.

30 \* \* \*

1 (9) Prior to the expiration of a temporary emergency  
2 license, if the [sheriff] issuing authority has determined  
3 pursuant to investigation that the person issued a temporary  
4 emergency license is not disqualified and if the temporary  
5 emergency license has not been revoked pursuant to subsection  
6 (i), the [sheriff] issuing authority shall issue a license  
7 pursuant to this section that is effective for the balance of  
8 the five-year period from the date of the issuance of the  
9 temporary emergency license. Records and all other  
10 information, duties and obligations regarding such licenses  
11 shall be applicable as otherwise provided in this section.

12 \* \* \*

13 Section 6. Section 6122 of Title 18 is repealed:

14 [§ 6122. Proof of license and exception.

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

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

27 Section 7. This act shall take effect in 60 days.