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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1253 Session of  
2022

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INTRODUCED BY HAYWOOD, COLLETT, FONTANA, SAVAL AND KANE,  
JUNE 1, 2022

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REFERRED TO JUDICIARY, JUNE 1, 2022

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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 and (c) of Title 18 are  
24 amended, subsection (d) is amended by adding a paragraph and  
25 subsection (e) (1) and (3) are amended by adding subparagraphs to  
26 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 (6) confirm with the Pennsylvania State Police that the  
3 applicant holds a valid firearm eligibility license.

4 (e) Issuance of license.--

5 (1) A license to carry a firearm shall be for the  
6 purpose of carrying a firearm concealed on or about one's  
7 person or in a vehicle and shall be issued if, after an  
8 investigation not to exceed 45 days, it appears that the  
9 applicant is an individual concerning whom no good cause  
10 exists to deny the license. A license shall not be issued to  
11 any of the following:

12 \* \* \*

13 (xv) An individual who does not possess a valid  
14 firearm eligibility license under section 6109.1  
15 (relating to firearm eligibility license).

16 (3) The license to carry a firearm shall be designed to  
17 be uniform throughout this Commonwealth and shall be in a  
18 form prescribed by the Pennsylvania State Police. The license  
19 shall bear the following:

20 \* \* \*

21 (vii) The number of the licensee's firearm  
22 eligibility license.

23 \* \* \*

24 Section 6. Title 18 is amended by adding sections to read:  
25 § 6109.1. Firearm eligibility license.

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

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

1           (1) A licensed firearms manufacturer.

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

4           (3) A law enforcement officer or person who is retired  
5 in good standing from service with a law enforcement agency  
6 of the United States, this Commonwealth or a local law  
7 enforcement agency of this Commonwealth.

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

10           (5) A person purchasing, owning, possessing or receiving  
11 an antique firearm as defined in section 6118 (relating to  
12 antique firearms) or reproductions or replicas of firearms if  
13 the antique firearm, reproduction or replica is not suitable  
14 for use.

15 § 6109.2. Application for firearm eligibility license.

16           (a) Place of application.--An individual may apply to an  
17 issuing authority for a firearm eligibility license. If the  
18 applicant is a resident of this Commonwealth, the applicant must  
19 apply with the sheriff of the county in which the applicant  
20 resides. If the applicant lives in a city of the first class,  
21 the applicant must apply with the chief of police of the city.

22           (b) Form of application and content.--The application for a  
23 firearm eligibility license shall be uniform across this  
24 Commonwealth and shall be on a form prescribed by the  
25 Pennsylvania State Police. Each application shall be signed and  
26 dated by the applicant. The form may contain provisions, not  
27 exceeding one page, to assure compliance with this section.  
28 Issuing authorities shall use only the application form  
29 prescribed by the Pennsylvania State Police. The application  
30 shall contain the following statement:

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

18 § 6109.3. Fee and qualification.

19 (a) Firearm eligibility license fee.--

20 (1) The fees for a firearm eligibility license are as  
21 follows:

22 (i) Fifty dollars for the original license.

23 (ii) Thirty dollars for a license renewal which  
24 includes the following:

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

26 (B) An administrative fee of \$5 under section  
27 14(2) of the act of July 6, 1984 (P.L.614, No.127),  
28 known as the Sheriff Fee Act.

29 (C) An administrative fee of \$2 for the costs of  
30 completing the background investigation under section



1           6109.2(b) (relating to application for firearm  
2           eligibility license). This fee shall be deposited  
3           into the Firearms Instant Records Check Fund under  
4           section 6111.2 (relating to firearm sales surcharge).

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

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

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

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

15                  (2) Be a resident of this Commonwealth.

16                  (3) Within three years prior to the submission of the  
17          application, demonstrate satisfactory completion of a  
18          certified firearms training course approved by the  
19          commissioner that includes all the following:

20                          (i) A minimum of 16 hours of instruction by a  
21                  qualified firearm instructor.

22                          (ii) Classroom instruction on all the following:

23                                  (A) Commonwealth firearm law.

24                                  (B) Home firearm safety.

25                                  (C) Firearm mechanisms and operations.

26                          (iii) A firearms orientation component that  
27          demonstrates the person's safe operation, handling and  
28          use of a firearm.

29                  (4) Is not prohibited by Federal or State law from  
30          purchasing or possessing a firearm. For purposes of

1 determining this, the following shall apply:

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

4 (ii) The Pennsylvania State Police shall submit the  
5 fingerprints to the Federal Bureau of Investigation to  
6 verify the identity of the applicant and obtain a current  
7 record of criminal arrests and convictions.

8 § 6109.4. Investigations and training course.

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

11 (1) To promulgate guidelines setting forth the  
12 requirements to become a qualified firearm instructor in this  
13 Commonwealth.

14 (2) To designate any program as a certified firearm  
15 training course if the program meets the minimum requirements  
16 established by the commissioner.

17 (b) Waiver of training course.--An applicant for a firearm  
18 eligibility license is not required to complete a firearm safety  
19 training course under subsection (a) if the applicant is any of  
20 the following:

21 (1) A qualified firearm instructor.

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

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

30 (4) An active or retired Federal or State law

1 enforcement officer.

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

4 (6) A Commonwealth or county corrections officer or  
5 probation or parole agent.

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

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

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

11 (1) Investigate the applicant's record of criminal  
12 conviction.

13 (2) Review the applicant's completed Federal criminal  
14 history check.

15 (3) Investigate whether the applicant would be precluded  
16 from or is prohibited from possessing, using, controlling,  
17 selling, purchasing, transferring or manufacturing a firearm  
18 under section 6105 (relating to persons not to possess, use,  
19 manufacture, control, sell or transfer firearms).

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

25 (d) Notice to issuing authority.--Notwithstanding any other  
26 law to the contrary, a court, mental health review officer or  
27 county administrator for mental health and intellectual  
28 disability services shall notify the issuing authority of the  
29 county or city in which an individual holds a firearm  
30 eligibility license on a form prescribed by the Pennsylvania

1 State Police within seven days of the individual's conviction or  
2 adjudication or upon determination of any of the following:

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

4 (2) A crime punishable by imprisonment exceeding one  
5 year.

6 (3) Conduct that meets the criteria of section 6105(c)  
7 (1), (2), (3), (5), (6) or (9).

8 (4) Incompetency.

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

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

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

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

22 § 6109.5. Issuance and terms.

23 (a) Issuance of license.--

24 (1) If the applicant meets the requirements of this  
25 section, a firearm eligibility license shall be issued. A  
26 license may not be issued to an individual who is prohibited  
27 from possessing, using, controlling, selling, purchasing,  
28 transferring or manufacturing a firearm under section 6105  
29 (relating to persons not to possess, use, manufacture,  
30 control, sell or transfer firearms) or under any other

1 Federal or State law.

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

6 (i) The name, address, date of birth, race, sex,  
7 citizenship, height, weight, color of hair, color of eyes  
8 and signature of the licensee.

9 (ii) The signature of the issuing authority.

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

13 (iv) The period of validation.

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

17 (4) The original firearm eligibility license shall be  
18 issued to the applicant. The first copy of the license shall  
19 be forwarded to the Pennsylvania State Police within seven  
20 days of the date of issuance. The second copy shall be  
21 retained by the issuing authority for a period of seven  
22 years. Except under a court order, both copies and the  
23 application shall, at the end of the seven-year period, be  
24 destroyed unless the license has been renewed.

25 (b) Grant or denial of license.--Upon receipt of an  
26 application for a firearm eligibility license, the issuing  
27 authority shall issue or refuse to issue within 30 days a  
28 license on the basis of the investigation under subsection (d)  
29 and the accuracy of the information contained in the  
30 application. If the issuing authority refuses to issue a

1 license, the issuing authority shall notify the applicant in  
2 writing of the refusal and the specific reason. The notice shall  
3 be sent by certified mail to the applicant at the address  
4 included in the application.

5 (c) Term of license.--

6 (1) A firearm eligibility license issued under  
7 subsection (e) shall be valid throughout this Commonwealth  
8 for a period of five years unless extended under paragraph  
9 (3) or revoked.

10 (2) At least 60 days prior to the expiration of each  
11 license, the issuing authority shall send to the licensee an  
12 application for renewal of the license. Failure to receive a  
13 renewal application shall not relieve a licensee from the  
14 responsibility to renew the license.

15 (3) Notwithstanding paragraph (1) or any other  
16 provisions of law to the contrary, a firearm eligibility  
17 license that is held by a member of the United States Armed  
18 Forces or the Pennsylvania National Guard on Federal active  
19 duty and deployed overseas that is scheduled to expire during  
20 the period of deployment shall be extended until 90 days  
21 after the end of the deployment.

22 (4) Possession of a firearm eligibility license,  
23 together with a copy of the person's military orders showing  
24 the dates of the overseas deployment, including the date that  
25 the overseas deployment ends, shall constitute a defense to  
26 any charge filed under this section during the extension  
27 period.

28 (d) Revocation.--

29 (1) A firearm eligibility license may be revoked by the  
30 issuing authority for any reason under section 6105(b) or (c)

1 if the violation occurs during the term of the license. The  
2 revocation shall be in accordance with the following:

3 (i) Notice of revocation shall:

4 (A) Be in writing and shall state the specific  
5 reason for revocation.

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

7 (C) Be provided to the Pennsylvania State Police  
8 by electronic means including e-mail or facsimile  
9 transmission.

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

13 (2) Anyone who violates this subsection commits a  
14 summary offense.

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

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

21 (1) Have the power and duty to enter into reciprocity  
22 agreements with other states providing for the mutual  
23 recognition of a firearm eligibility license issued by the  
24 Commonwealth and a firearm eligibility license or permit  
25 issued by another state.

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

29 (3) Report to the General Assembly within 180 days of  
30 the effective date of this paragraph and annually thereafter

1 on the agreements which have been made under this section.

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

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

8 § 6111. Sale or transfer of firearms.

9 \* \* \*

10 (b) Duty of seller.--No licensed importer, licensed  
11 manufacturer or licensed dealer shall sell or deliver any  
12 firearm to another person, other than a licensed importer,  
13 licensed manufacturer, licensed dealer or licensed collector,  
14 until the conditions of subsection (a) have been satisfied and  
15 until he has:

16 \* \* \*

17 (1.1) On the date of publication in the Pennsylvania  
18 Bulletin of a notice by the Pennsylvania State Police that  
19 the instantaneous records check has been implemented, all of  
20 the following shall apply:

21 \* \* \*

22 (iii) For purposes of conducting the criminal  
23 history, juvenile delinquency and mental health records  
24 background check which shall be completed within ten days  
25 of receipt of the information from the dealer, the  
26 application/record of sale shall include the name,  
27 address, birthdate, gender, race, physical description  
28 [and], Social Security number of the purchaser or  
29 transferee, the purchaser or transferee's firearm  
30 eligibility license number and the date of application.



1 \* \* \*

2 (2.1) Inspected the firearm eligibility license of the  
3 potential purchaser or transferee.

4 \* \* \*

5 (f) Application of section.--

6 \* \* \*

7 (3) The provisions contained in subsection (a) shall not  
8 apply to any law enforcement officer whose current  
9 identification as a law enforcement officer shall be  
10 construed as a valid license to carry a firearm or any person  
11 who possesses a valid license to carry a firearm under  
12 section 6109 (relating to [licenses] license to carry).

13 \* \* \*

14 (g) Penalties.--

15 \* \* \*

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

20 \* \* \*

21 (iii) willfully furnishes or exhibits any false  
22 identification, including a false firearm eligibility  
23 license, intended or likely to deceive the seller,  
24 licensed dealer or licensed manufacturer.

25 \* \* \*

26 Section 8. Section 6111.1(b)(2) and (3) and (e)(1) of Title  
27 18 are amended and subsections (b) and (i) are amended by adding  
28 paragraphs to read:

29 § 6111.1. Pennsylvania State Police.

30 \* \* \*

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

2 \* \* \*

3 (1.1) Upon receipt of an application for a firearm  
4 eligibility license under section 6109.1 (relating to firearm  
5 eligibility license), the Pennsylvania State Police shall  
6 immediately:

7 (i) Review the Pennsylvania State Police criminal  
8 history and fingerprint records to determine whether the  
9 applicant is prohibited from receipt or possession of a  
10 firearm under Federal or State law.

11 (ii) Review the juvenile delinquency and mental  
12 health records of the Pennsylvania State Police to  
13 determine whether the applicant is prohibited from  
14 receipt or possession of a firearm under Federal or State  
15 law.

16 (iii) Inform the issuing authority of one of the  
17 following:

18 (A) That the issuance of a firearm eligibility  
19 license is prohibited.

20 (B) The individual is cleared for a firearm  
21 eligibility license. If the Pennsylvania State Police  
22 determine that the individual is eligible, the  
23 Pennsylvania State Police shall provide the issuing  
24 authority with the individual's firearm eligibility  
25 license.

26 (2) In the event of electronic failure, scheduled  
27 computer downtime or similar event beyond the control of the  
28 Pennsylvania State Police, the Pennsylvania State Police  
29 shall immediately notify the requesting licensee under  
30 paragraph (1) or the applicant under paragraph (1.1) of the

1 reason for and estimated length of the delay. If the failure  
2 or event lasts for a period exceeding 48 hours, the dealer  
3 shall not be subject to any penalty for completing a  
4 transaction absent the completion of an instantaneous records  
5 check for the remainder of the failure or similar event, but  
6 the dealer shall obtain a completed application/record of  
7 sale following the provisions of section 6111(b)(1) and (1.1)  
8 (relating to sale or transfer of firearms) as if an  
9 instantaneous records check has not been established for any  
10 sale or transfer of a firearm for the purpose of a subsequent  
11 background check.

12 (3) The Pennsylvania State Police shall fully comply,  
13 execute and enforce the directives of this section as  
14 follows:

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

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

21 (A) the date of publication of the notice under  
22 section 6111(a)(2); or

23 (B) December 31, 1998.

24 (iii) The instantaneous background check for a  
25 firearm eligibility license shall take effect on the  
26 effective date of this subparagraph.

27 \* \* \*

28 (e) Challenge to records.--

29 (1) Any person who is denied a firearm eligibility  
30 license or is denied the right to receive, sell, transfer,

1 possess, carry, manufacture or purchase a firearm as a result  
2 of the procedures established by this section may challenge  
3 the accuracy of that person's criminal history, juvenile  
4 delinquency history or mental health record pursuant to a  
5 denial by the instantaneous records check by submitting a  
6 challenge to the Pennsylvania State Police within 30 days  
7 from the date of the denial.

8 \* \* \*

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

12 \* \* \*

13 (1.1) number of firearm eligibility license applications  
14 submitted, number of applications denied, number of  
15 challenges of the denials and number of reversals of initial  
16 denials;

17 \* \* \*

18 Section 9. Sections 6115(b)(1)(i), 6122(a) and 6124 of Title  
19 18 are amended to read:

20 § 6115. Loans on, or lending or giving firearms prohibited.

21 \* \* \*

22 (b) Exception.--

23 (1) Subsection (a) shall not apply if any of the  
24 following apply:

25 (i) The person who receives the firearm is licensed  
26 to carry a firearm under section 6109 (relating to  
27 [licenses] license to carry).

28 \* \* \*

29 § 6122. Proof of license and exception.

30 (a) General rule.--When carrying a firearm concealed on or

1 about one's person or in a vehicle, an individual licensed to  
2 carry a firearm shall, upon lawful demand of a law enforcement  
3 officer, produce the [license] individual's firearm eligibility  
4 license and license to carry for inspection. Failure to produce  
5 such license either at the time of arrest or at the preliminary  
6 hearing shall create a rebuttable presumption of nonlicensure.

7 \* \* \*

8 § 6124. Administrative regulations.

9 The commissioner may establish form specifications and  
10 regulations, consistent with [section] sections 6109(c)  
11 (relating to [licenses] license to carry) and 6109.1 (relating  
12 to firearm eligibility license), with respect to uniform forms  
13 control, including the following:

- 14 (1) License to carry firearms.
- 15 (2) Firearm registration.
- 16 (3) Dealer's license.
- 17 (4) Application for purchase of a firearm.
- 18 (5) Record of sale of firearms.
- 19 (6) Firearm eligibility license.

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

22 § 6108. Relief.

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

27 \* \* \*

- 28 (7) Prohibiting the defendant from acquiring or  
29 possessing any firearm for the duration of the order,  
30 ordering the defendant to temporarily relinquish to the

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

17 \* \* \*

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

20 § 2325. Cooperation after lawfully killing big game.

21 \* \* \*

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

26 \* \* \*

27 § 2525. Possession of firearm for protection of self or others.

28 (a) General rule.--It is lawful for a law enforcement officer  
29 or any person who possesses a valid license to carry a firearm  
30 issued under 18 Pa.C.S. § 6109 (relating to [licenses] license

1 to carry) to be in possession of a loaded or unloaded firearm  
2 while engaged in any activity regulated by this title.

3 \* \* \*

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