
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 170 Session of
2017

INTRODUCED BY SACCONI, IRVIN, ROTHMAN, WARD, DUNBAR, DIAMOND,
A. HARRIS, BLOOM, CUTLER, MILLARD, PHILLIPS-HILL, REESE,
ZIMMERMAN, SANKEY, TALLMAN, BARRAR, GROVE, RYAN, HICKERNELL,
KAUFFMAN, COX, GABLER AND NELSON, JANUARY 23, 2017

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 23, 2017

AN ACT

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

12 The General Assembly finds that:

13 (1) The laws in existence regulating firearms ownership,
14 possession and use are ineffectual in preventing crime and
15 only interfere with the natural rights of law-abiding
16 citizens.

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

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

3 Section 1. Section 103 of Title 18 of the Pennsylvania
4 Consolidated Statutes is amended by adding a definition to read:
5 § 103. Definitions.

6 Subject to additional definitions contained in subsequent
7 provisions of this title which are applicable to specific
8 provisions of this part, the following words and phrases when
9 used in this title shall have, unless the context clearly
10 indicates otherwise, the meanings given to them in this section:

11 * * *

12 "Lawful purpose." The term includes possession for the
13 purpose of self-defense or the exercise of reasonable force in
14 defense of the person or the person's property under Chapter 5
15 (relating to general principles of justification).

16 * * *

17 Section 2. Section 908(c) of Title 18 is amended to read:
18 § 908. Prohibited offensive weapons.

19 * * *

20 (c) Definitions.--As used in this section, the following
21 words and phrases shall have the meanings given to them in this
22 subsection:

23 "Firearm." Any weapon which is designed to or may readily be
24 converted to expel any projectile by the action of an explosive
25 or the frame or receiver of any such weapon.

26 "Offensive weapons." Any bomb, grenade, machine gun, sawed-
27 off shotgun with a barrel less than 18 inches, firearm specially
28 made or specially adapted for concealment or silent discharge,
29 any blackjack, sandbag[,] or metal knuckles, [dagger, knife,
30 razor or cutting instrument, the blade of which is exposed in an

1 automatic way by switch, push-button, spring mechanism, or
2 otherwise,] any stun gun, stun baton, taser or other electronic
3 or electric weapon or other implement for the infliction of
4 serious bodily injury which serves no [common] lawful purpose.

5 * * *

6 Section 3. Section 6106 of Title 18 is repealed:

7 [§ 6106. Firearms not to be carried without a license.

8 (a) Offense defined.--

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

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

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

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

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

30 (3) The regularly enrolled members of any organization

1 duly organized to purchase or receive such firearms from the
2 United States or from this Commonwealth.

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

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

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

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

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

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

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

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

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

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

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

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

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

11 (i) The state provides a reciprocal privilege for
12 individuals licensed to carry firearms under section
13 6109.

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

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

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

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

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

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

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

22 (e) Definitions.--

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

28 (2) As used in this section, the phrase "place of
29 instruction" shall include any hunting club, rifle club,
30 rifle range, pistol range, shooting range, the premises of a

1 licensed firearms dealer or a lawful gun show or meet.]

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

3 § 6106.2. License not required.

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

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

17 Section 5. Section 6108 of Title 18 is repealed:

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

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

- 23 (1) such person is licensed to carry a firearm; or
24 (2) such person is exempt from licensing under section
25 6106(b) of this title (relating to firearms not to be carried
26 without a license).]

27 Section 6. Title 18 is amended by adding a section to read:

28 § 6108.1. Sportsman's firearm permit.

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

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

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

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

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

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

28 Section 7. Section 6109(a), (b), (c), (d) heading,
29 introductory paragraph, (3), (4) and (5), (e)(1) introductory
30 paragraph, (i), (v) and (vii), (3) introductory paragraph and

1 (ii) and (4), (f) (2) and (4), (g), (h) (3) and (4), (i.1) heading
2 and (1), (j) and (m.1) (1) introductory paragraph and (ii), (2),
3 (3), (4), (7) and (9) of Title 18 are amended to read:

4 § 6109. Licenses.

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

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

14 (2) The voluntary nature of a license to carry a firearm
15 may not be construed to relieve the issuing authority of the
16 burden of proof for denying an application for a license.
17 Issuance of a license to carry a firearm under this section
18 by the proper authority shall be prima facie evidence that
19 law enforcement authorities have verified that the individual
20 is qualified under the law and is not prohibited from
21 possessing firearms under section 6105 (relating to persons
22 not to possess, use, manufacture, control, sell or transfer
23 firearms) or under any other provision of the laws of this
24 Commonwealth.

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

29 (4) A license to carry a firearm shall provide citizens
30 of this Commonwealth with the ability to carry a firearm in

1 any state with which the Commonwealth maintains a reciprocal
2 agreement for the mutual recognition of licenses to carry
3 firearms.

4 (b) Place of application.--An individual who is 21 years of
5 age or older may apply to [a sheriff] the proper issuing
6 authority for a license to carry a firearm [concealed on or
7 about his person or in a vehicle] within this Commonwealth. If
8 the applicant is a resident of this Commonwealth, he shall make
9 application with the sheriff of the county in which he resides
10 or, if a resident of a city of the first class, with the chief
11 of police of that city. If the applicant is not a resident of
12 this Commonwealth, he shall make application with the sheriff of
13 any county.

14 (c) Form of application and content.--The application for a
15 license to carry a firearm shall be uniform throughout this
16 Commonwealth and shall be on a form prescribed by the
17 [Pennsylvania State Police] Attorney General. The form may
18 contain provisions, not exceeding one page, to assure compliance
19 with this section. Issuing authorities shall use only the
20 application form prescribed by the [Pennsylvania State Police]
21 Attorney General. One of the following reasons for obtaining a
22 firearm license shall be set forth in the application: self-
23 defense, employment, hunting and fishing, target shooting, gun
24 collecting or another proper reason. The application form shall
25 be dated and signed by the applicant and shall contain the
26 following statement:

27 I have never been convicted of a crime that prohibits me
28 from possessing or acquiring a firearm under Federal or
29 State law. I am of sound mind and have never been
30 involuntarily committed to a mental institution or if I

1 was involuntarily committed, the involuntary commitment
2 has been expunged. I hereby certify that the statements
3 contained herein are true and correct to the best of my
4 knowledge and belief. I understand that, if I knowingly
5 make any false statements herein, I am subject to
6 penalties prescribed by law. I authorize the [sheriff, or
7 his designee, or, in the case of first class cities, the
8 chief or head of the police department] issuing
9 authority, or his designee, to inspect only those records
10 or documents relevant to information required for this
11 application. If I am issued a license and knowingly
12 become ineligible to legally possess or acquire firearms,
13 I will promptly notify the [sheriff of the county in
14 which I reside or, if I reside in a city of the first
15 class, the chief of police of that city] issuing
16 authority.

17 (d) [Sheriff to conduct] Preissuance investigation.--The
18 [sheriff] issuing authority to whom the application is made
19 shall:

20 * * *

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

24 (4) investigate whether the applicant would be precluded
25 from receiving a license under subsection (e) (1) or section
26 6105(h) [(relating to persons not to possess, use,
27 manufacture, control, sell or transfer firearms)]; and

28 (5) conduct a criminal background, juvenile delinquency
29 and mental health check [following the procedures set forth
30 in section 6111 (relating to sale or transfer of firearms),

1 receive] by contacting the National Instant Criminal
2 Background Check System and must have received a unique
3 approval number for that inquiry and record the date and
4 number on the application.

5 (e) Issuance of license.--

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

13 [(i) An individual whose character and reputation is
14 such that the individual would be likely to act in a
15 manner dangerous to public safety.]

16 * * *

17 (v) An individual who is not of sound mind or who
18 has ever been involuntarily committed to a mental
19 institution, unless the involuntary commitment has been
20 expunged.

21 * * *

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

23 * * *

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

28 * * *

29 (ii) The signature of the [sheriff] authority
30 issuing the license.

1 * * *

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

6 * * *

7 (f) Term of license.--

8 * * *

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

14 * * *

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

23 (g) Grant or denial of license.--Upon the receipt of an
24 application for a license to carry a firearm, the [sheriff]
25 issuing authority shall, within [45] 14 calendar days, issue or
26 refuse to issue a license on the basis of the investigation
27 under subsection (d) and the accuracy of the information
28 contained in the application. If the [sheriff] issuing authority
29 refuses to issue a license, the [sheriff] issuing authority
30 shall notify the applicant in writing of the refusal and the

1 specific reasons. The notice shall be sent by certified mail to
2 the applicant at the address set forth in the application.

3 (h) Fee.--

4 * * *

5 (3) An additional fee of \$1 shall be paid by the
6 applicant for a license to carry a firearm and shall be
7 remitted by the [sheriff] issuing authority to the Firearms
8 License Validation System Account, which is hereby
9 established as a special restricted receipt account within
10 the General Fund of the State Treasury. The account shall be
11 used for purposes under subsection (1). Moneys credited to
12 the account and any investment income accrued are hereby
13 appropriated on a continuing basis to the Pennsylvania State
14 Police.

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

19 * * *

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

21 Notwithstanding any statute to the contrary:

22 (1) Upon conviction of a person for a crime specified in
23 section 6105(a) or (b) or upon conviction of a person for a
24 crime punishable by imprisonment exceeding one year or upon a
25 determination that the conduct of a person meets the criteria
26 specified in section 6105(c) (1), (2), (3), (5), (6) or (9),
27 the court shall determine if the defendant has a license to
28 carry firearms issued pursuant to this section. If the
29 defendant has such a license, the court shall notify the
30 [sheriff of the county in which that person resides] issuing

1 authority, on a form developed by the [Pennsylvania State
2 Police] Attorney General, of the identity of the person and
3 the nature of the crime or conduct which resulted in the
4 notification. The notification shall be transmitted by the
5 judge within seven days of the conviction or determination.

6 * * *

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

12 * * *

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

14 (1) A person seeking a temporary emergency license to
15 carry a concealed firearm shall submit to the [sheriff]
16 issuing authority of the county in which the person resides
17 all of the following:

18 * * *

19 (ii) A sworn affidavit that contains the information
20 required on an application for a license to carry a
21 firearm and attesting that the person is 21 years of age
22 or older, is not prohibited from owning firearms under
23 section 6105 [(relating to persons not to possess, use,
24 manufacture, control, sell or transfer firearms)] or any
25 other Federal or State law and is not currently subject
26 to a protection from abuse order or a protection order
27 issued by a court of another state.

28 * * *

29 (2) Upon receipt of the items required under paragraph
30 (1), the [sheriff] issuing authority immediately shall

1 conduct a criminal history, juvenile delinquency and mental
2 health record check of the applicant pursuant to section
3 6105. Immediately upon receipt of the results of the records
4 check, the [sheriff] issuing authority shall review the
5 information and shall determine whether the applicant meets
6 the criteria set forth in this subsection. If the [sheriff]
7 issuing authority determines that the applicant has met all
8 of the criteria, the [sheriff] issuing authority shall
9 immediately issue the applicant a temporary emergency license
10 to carry a concealed firearm.

11 (3) If the [sheriff] issuing authority refuses to issue
12 a temporary emergency license, the [sheriff] issuing
13 authority shall specify the grounds for the denial in a
14 written notice to the applicant. The applicant may appeal the
15 denial or challenge criminal records check results that were
16 the basis of the denial, if applicable, in the same manner as
17 a denial of a license to carry a firearm under this section.

18 (4) A temporary emergency license issued under this
19 subsection shall be valid for 45 days and may not be renewed.
20 A person who has been issued a temporary emergency license
21 under this subsection shall not be issued another temporary
22 emergency license unless at least five years have expired
23 since the issuance of the prior temporary emergency license.
24 During the 45 days the temporary emergency license is valid,
25 the [sheriff] issuing authority shall conduct an additional
26 investigation of the person for the purposes of determining
27 whether the person may be issued a license pursuant to this
28 section. If, during the course of this investigation, the
29 [sheriff] issuing authority discovers any information that
30 would have prohibited the issuance of a license pursuant to

1 this section, the [sheriff] issuing authority shall be
2 authorized to revoke the temporary emergency license as
3 provided in subsection (i).

4 * * *

5 (7) [A sheriff] An issuing authority who issues a
6 temporary emergency license to carry a firearm shall retain,
7 for the entire period during which the temporary emergency
8 license is in effect, the evidence of imminent danger that
9 the applicant submitted to the [sheriff] issuing authority
10 that was the basis for the license, or a copy of the
11 evidence, as appropriate.

12 * * *

13 (9) Prior to the expiration of a temporary emergency
14 license, if the [sheriff] issuing authority has determined
15 pursuant to investigation that the person issued a temporary
16 emergency license is not disqualified and if the temporary
17 emergency license has not been revoked pursuant to subsection
18 (i), the [sheriff] issuing authority shall issue a license
19 pursuant to this section that is effective for the balance of
20 the five-year period from the date of the issuance of the
21 temporary emergency license. Records and all other
22 information, duties and obligations regarding such licenses
23 shall be applicable as otherwise provided in this section.

24 * * *

25 Section 8. Section 6122 of Title 18 is repealed:

26 [§ 6122. Proof of license and exception.

27 (a) General rule.--When carrying a firearm concealed on or
28 about one's person or in a vehicle, an individual licensed to
29 carry a firearm shall, upon lawful demand of a law enforcement
30 officer, produce the license for inspection. Failure to produce

1 such license either at the time of arrest or at the preliminary
2 hearing shall create a rebuttable presumption of nonlicensure.

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

9 Section 9. This act shall take effect in 60 days.