

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 98 Session of 2017

INTRODUCED BY FARNESE, HAYWOOD, HUGHES AND SABATINA,
FEBRUARY 16, 2017

REFERRED TO JUDICIARY, FEBRUARY 16, 2017

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in firearms and other dangerous
3 articles, further providing for the offense of carrying
4 firearms on public streets or public property in
5 Philadelphia.

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

8 Section 1. Section 6108 of Title 18 of the Pennsylvania
9 Consolidated Statutes is amended to read:

10 § 6108. Carrying firearms on public streets or public property
11 in Philadelphia.

12 (a) General rule.--No person shall carry a firearm[, rifle
13 or shotgun] at any time upon the public streets or upon any
14 public property in a city of the first class unless:

15 (1) [such] the person is licensed to carry a firearm; or

16 (2) [such] the person is exempt from licensing under
17 section 6106(b) of this title (relating to firearms not to be
18 carried without a license).

19 (b) Mandatory sentence.--

1 (1) Notwithstanding any other provision of law, if the
2 person in possession of a firearm at the time of arrest for a
3 violation of this section is not the lawful owner of the
4 firearm, the offense shall be graded as a felony of the third
5 degree and, upon conviction, the person shall be sentenced to
6 a minimum sentence of at least two years of total
7 confinement.

8 (2) A person sentenced under this subsection shall not
9 be eligible for parole, probation, work release or furlough.

10 (3) This subsection does not apply to any person who is
11 otherwise eligible to possess a firearm under this chapter
12 and who is operating a motor vehicle that is registered in
13 the person's name or the name of a spouse or parent and that
14 contains a firearm for which a valid license has been issued
15 under section 6109 (relating to licenses) to the spouse or
16 parent owning the firearm.

17 (c) Definition.--For the purposes of this section, the term
18 "firearm" shall include any weapon that is designed to or may
19 readily be converted to expel any projectile by the action of an
20 explosive or the frame or receiver of the weapon.

21 Section 2. This act shall take effect in 60 days.