
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 344 Session of
2019

INTRODUCED BY HAYWOOD, MUTH, HUGHES AND COLLETT,
FEBRUARY 27, 2019

REFERRED TO JUDICIARY, FEBRUARY 27, 2019

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 evidence of intent, for
7 persons not to possess, use, manufacture, control, sell or
8 transfer firearms, for firearms not to be carried without a
9 license, for prohibited conduct during emergency and for
10 licenses, providing for firearm eligibility license, for
11 application for firearm eligibility license, for fee and
12 qualification, for investigations and training course and for
13 issuance and terms and further providing for sale or transfer
14 of firearms, for Pennsylvania State Police, for loans on, or
15 lending or giving firearms prohibited, for proof of license
16 and exception and for administrative regulations; in
17 protection from abuse, further providing for relief; in
18 hunting and furtaking, further providing for cooperation
19 after lawfully killing big game; and, in protection of
20 property and persons, further providing for possession of
21 firearm for protection of self or others.

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

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

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

1 * * *

2 (b) Grading.--

3 * * *

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

10 * * *

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

13 § 6102. Definitions.

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

20 * * *

21 "Firearm eligibility license." A license issued by the
22 commissioner that authorizes a person to purchase, possess,
23 control or use a firearm.

24 * * *

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

28 (1) A valid qualified firearm instructor license issued
29 by the commissioner.

30 (2) A certificate issued by a nationally recognized

1 firearms organization.

2 * * *

3 Section 3. Section 6104 of Title 18 is amended to read:

4 § 6104. Evidence of intent.

5 In the trial of a person for committing or attempting to
6 commit a crime enumerated in section 6105 (relating to persons
7 not to possess, use, manufacture, control, sell or transfer
8 firearms), the fact that that person was armed with a firearm,
9 used or attempted to be used, and had no license to possess or
10 carry the same, shall be evidence of that person's intention to
11 commit the offense.

12 Section 4. Section 6105(h) of Title 18 is amended and
13 subsection (c) is amended by adding a paragraph to read:

14 § 6105. Persons not to possess, use, manufacture, control, sell
15 or transfer firearms.

16 * * *

17 (c) Other persons.--In addition to any person who has been
18 convicted of any offense listed under subsection (b), the
19 following persons shall be subject to the prohibition of
20 subsection (a):

21 * * *

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

25 * * *

26 (h) License prohibition.--Any person who is prohibited from
27 possessing, using, controlling, selling, purchasing,
28 transferring or manufacturing any firearm under this section
29 shall not be eligible for or permitted to obtain a license to
30 carry a firearm under section 6109 (relating to [licenses])

1 license to carry).

2 * * *

3 Section 5. Sections 6106(a) and 6107(a)(2) of Title 18 are
4 amended to read:

5 § 6106. Firearms not to be carried without a license.

6 (a) Offense defined.--

7 (1) Except as provided in paragraph (2), any person who
8 carries a firearm in any vehicle or any person who carries a
9 firearm concealed on or about his person, except in his place
10 of abode or fixed place of business, without a valid and
11 lawfully issued license [under this chapter] to carry under
12 section 6109 (relating to license to carry) 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] to carry under section
16 6109 but carries a firearm in any vehicle or any person who
17 carries a firearm concealed on or about his person, except in
18 his place of abode or fixed place of business, without a
19 valid and lawfully issued license to carry and has not
20 committed any other criminal violation commits a misdemeanor
21 of the first degree.

22 * * *

23 § 6107. Prohibited conduct during emergency.

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

28 * * *

29 (2) Licensed to carry firearms under section 6109
30 (relating to [licenses] license to carry) or is exempt from

1 licensing under section 6106(b) (relating to firearms not to
2 be carried without a license).

3 * * *

4 Section 6. Section 6109 heading and (c) of Title 18 are
5 amended, subsection (d) is amended by adding a paragraph and
6 subsection (e)(1) and (3) are amended by adding subparagraphs to
7 read:

8 § 6109. [Licenses.] License to carry.

9 * * *

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

22 I am the holder of a valid firearm eligibility license. I
23 have never been convicted of a crime that prohibits me
24 from possessing or acquiring a firearm under Federal or
25 State law. I am of sound mind and have never been
26 committed to a mental institution. I hereby certify that
27 the statements contained herein are true and correct to
28 the best of my knowledge and belief. I understand that,
29 if I knowingly make any false statements herein, I am
30 subject to penalties prescribed by law. I authorize the

1 sheriff, or his designee, or, in the case of first class
2 cities, the chief or head of the police department, or
3 his designee, to inspect only those records or documents
4 relevant to information required for this application. If
5 I am issued a license and knowingly become ineligible to
6 legally possess or acquire firearms, I will promptly
7 notify the sheriff of the county in which I reside or, if
8 I reside in a city of the first class, the chief of
9 police of that city.

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

12 * * *

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

15 (e) Issuance of license.--

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

23 * * *

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

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

1 * * *

2 (vii) The number of the licensee's firearm
3 eligibility license.

4 * * *

5 Section 7. Title 18 is amended by adding sections to read:

6 § 6109.1. Firearm eligibility license.

7 (a) Required.--Except as provided in subsection (b), a
8 firearm eligibility license shall be required to own or possess
9 a firearm within this Commonwealth.

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

12 (1) A licensed firearms manufacturer.

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

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

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

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

26 § 6109.2. Application for firearm eligibility license.

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

1 resides. If the applicant lives in a city of the first class,
2 the applicant must apply with the chief of police of the city.

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

12 I 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 statement herein, I am
19 subject to penalties prescribed by law. I authorize the
20 sheriff or the sheriff's designee, or the chief of the
21 police department or the chief's designee, to inspect
22 only those records or documents relevant to the
23 information required for this application. If I am issued
24 a license and knowingly become ineligible to legally
25 possess or acquire firearms, I will promptly notify the
26 sheriff of the county in which I reside or, if I reside
27 in a city of the first class, the chief of police of that
28 city.

29 § 6109.3. Fee and qualification.

30 (a) Firearm eligibility license fee.--

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

3 (i) Fifty dollars for the original license.

4 (ii) Thirty dollars for a license renewal which
5 includes the following:

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

7 (B) An administrative fee of \$5 under section
8 14(2) of the act of July 6, 1984 (P.L.614, No.127),
9 known as the Sheriff Fee Act.

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

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

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

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

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

27 (2) Be a resident of this Commonwealth.

28 (3) Within three years prior to the submission of the
29 application, demonstrate satisfactory completion of a
30 certified firearms training course approved by the

1 commissioner that includes all the following:

2 (i) A minimum of 16 hours of instruction by a
3 qualified firearm instructor.

4 (ii) Classroom instruction on all the following:

5 (A) Commonwealth firearm law.

6 (B) Home firearm safety.

7 (C) Firearm mechanisms and operations.

8 (iii) A firearms orientation component that
9 demonstrates the person's safe operation, handling and
10 use of a firearm.

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

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

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

20 § 6109.4. Investigations and training course.

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

23 (1) To promulgate guidelines setting forth the
24 requirements to become a qualified firearm instructor in this
25 Commonwealth.

26 (2) To designate any program as a certified firearm
27 training course if the program meets the minimum requirements
28 established by the commissioner.

29 (b) Waiver of training course.--An applicant for a firearm
30 eligibility license is not required to complete a firearm safety

1 training course under subsection (a) if the applicant is any of
2 the following:

3 (1) A qualified firearm instructor.

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

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

12 (4) An active or retired Federal or State law
13 enforcement officer.

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

16 (6) A Commonwealth or county corrections officer or
17 probation or parole agent.

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

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

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

23 (1) Investigate the applicant's record of criminal
24 conviction.

25 (2) Review the applicant's completed Federal criminal
26 history check.

27 (3) Investigate whether the applicant would be precluded
28 from or is prohibited from possessing, using, controlling,
29 selling, purchasing, transferring or manufacturing a firearm
30 under section 6105 (relating to persons not to possess, use,

1 manufacture, control, sell or transfer firearms).

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

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

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

16 (2) A crime punishable by imprisonment exceeding one
17 year.

18 (3) Conduct that meets the criteria of section 6105(c)
19 (1), (2), (3), (5), (6) or (9).

20 (4) Incompetency.

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

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

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

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

4 § 6109.5. Issuance and terms.

5 (a) Issuance of license.--

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

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

18 (i) The name, address, date of birth, race, sex,
19 citizenship, height, weight, color of hair, color of eyes
20 and signature of the licensee.

21 (ii) The signature of the issuing authority.

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

25 (iv) The period of validation.

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

29 (4) The original firearm eligibility license shall be
30 issued to the applicant. The first copy of the license shall

1 be forwarded to the Pennsylvania State Police within seven
2 days of the date of issuance. The second copy shall be
3 retained by the issuing authority for a period of seven
4 years. Except under a court order, both copies and the
5 application shall, at the end of the seven-year period, be
6 destroyed unless the license has been renewed.

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

17 (c) Term of license.--

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

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

27 (3) Notwithstanding paragraph (1) or any other
28 provisions of law to the contrary, a firearm eligibility
29 license that is held by a member of the United States Armed
30 Forces or the Pennsylvania National Guard on Federal active

1 duty and deployed overseas that is scheduled to expire during
2 the period of deployment shall be extended until 90 days
3 after the end of the deployment.

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

10 (d) Revocation.--

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

15 (i) Notice of revocation shall:

16 (A) Be in writing and shall state the specific
17 reason for revocation.

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

19 (C) Be provided to the Pennsylvania State Police
20 by electronic means including e-mail or facsimile
21 transmission.

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

25 (2) Anyone who violates this subsection commits a
26 summary offense.

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

1 license.

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

3 (1) Have the power and duty to enter into reciprocity
4 agreements with other states providing for the mutual
5 recognition of a firearm eligibility license issued by the
6 Commonwealth and a firearm eligibility license or permit
7 issued by another state.

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

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

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

17 Section 8. Section 6111(b)(1.1)(iii), (f)(3) and (g)(4)(iii)
18 of Title 18 are amended and subsection (b) is amended by adding
19 a paragraph to read:

20 § 6111. Sale or transfer of firearms.

21 * * *

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

28 * * *

29 (1.1) On the date of publication in the Pennsylvania
30 Bulletin of a notice by the Pennsylvania State Police that

1 the instantaneous records check has been implemented, all of
2 the following shall apply:

3 * * *

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

13 * * *

14 (2.1) Inspected the firearm eligibility license of the
15 potential purchaser or transferee.

16 * * *

17 (f) Application of section.--

18 * * *

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

25 * * *

26 (g) Penalties.--

27 * * *

28 (4) Any person, purchaser or transferee commits a felony
29 of the third degree if, in connection with the purchase,
30 delivery or transfer of a firearm under this chapter, he

1 knowingly and intentionally:

2 * * *

3 (iii) willfully furnishes or exhibits any false
4 identification, including a false firearm eligibility
5 license, intended or likely to deceive the seller,
6 licensed dealer or licensed manufacturer.

7 * * *

8 Section 9. Section 6111.1(b)(2) and (3) and (e)(1) of Title
9 18 are amended and subsections (b) and (i) are amended by adding
10 paragraphs to read:

11 § 6111.1. Pennsylvania State Police.

12 * * *

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

14 * * *

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

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

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

28 (iii) Inform the issuing authority of one of the
29 following:

30 (A) That the issuance of a firearm eligibility

1 license is prohibited.

2 (B) The individual is cleared for a firearm
3 eligibility license. If the Pennsylvania State Police
4 determine that the individual is eligible, the
5 Pennsylvania State Police shall provide the issuing
6 authority with the individual's firearm eligibility
7 license.

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

24 (3) The Pennsylvania State Police shall fully comply,
25 execute and enforce the directives of this section as
26 follows:

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

30 (ii) The instantaneous background check for firearms

1 that exceed the barrel lengths set forth in section 6102
2 shall begin on the later of:

3 (A) the date of publication of the notice under
4 section 6111(a) (2); or

5 (B) December 31, 1998.

6 (iii) The instantaneous background check for a
7 firearm eligibility license shall take effect on the
8 effective date of this subparagraph.

9 * * *

10 (e) Challenge to records.--

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

20 * * *

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

24 * * *

25 (1.1) number of firearm eligibility license applications
26 submitted, number of applications denied, number of
27 challenges of the denials and number of reversals of initial
28 denials;

29 * * *

30 Section 10. Sections 6115(b) (1) (i), 6122(a) and 6124 of

1 Title 18 are amended to read:

2 § 6115. Loans on, or lending or giving firearms prohibited.

3 * * *

4 (b) Exception.--

5 (1) Subsection (a) shall not apply if any of the
6 following apply:

7 (i) The person who receives the firearm is licensed
8 to carry a firearm under section 6109 (relating to
9 [licenses] license to carry).

10 * * *

11 § 6122. Proof of license and exception.

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

19 * * *

20 § 6124. Administrative regulations.

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

26 (1) License to carry firearms.

27 (2) Firearm registration.

28 (3) Dealer's license.

29 (4) Application for purchase of a firearm.

30 (5) Record of sale of firearms.

1 (6) Firearm eligibility license.

2 Section 11. Section 6108(a)(7) introductory paragraph of
3 Title 23, amended October 12, 2018 (P.L.519, No.79), is amended
4 to read:

5 § 6108. Relief.

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

10 * * *

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

30 * * *

1 Section 12. Sections 2325(a.1) and 2525(a) of Title 34 are
2 amended to read:

3 § 2325. Cooperation after lawfully killing big game.

4 * * *

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

9 * * *

10 § 2525. Possession of firearm for protection of self or others.

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

16 * * *

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