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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 454 Session of  
2025

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INTRODUCED BY BERNSTINE, D'ORSIE, GREINER, HAMM, DIAMOND,  
STAMBAUGH, HEFFLEY, REICHARD, KAUFFMAN, CUTLER, SMITH,  
RYNCAVAGE, ROWE, KOZAK, GROVE, GLEIM, M. JONES, FINK, BONNER,  
ZIMMERMAN, FLOOD, BASHLINE, WARNER, MAJOR, BOROWICZ,  
LEADBETER AND ANDERSON, FEBRUARY 3, 2025

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REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 3, 2025

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AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 23 (Domestic  
2 Relations) of the Pennsylvania Consolidated Statutes, in  
3 firearms and other dangerous articles, repealing provisions  
4 relating to firearms not to be carried without a license,  
5 providing for license not required, repealing provisions  
6 relating to carrying firearms on public streets or public  
7 property in Philadelphia, further providing for prohibited  
8 conduct during emergency, providing for sportsman's firearm  
9 permit, further providing for licenses and for antique  
10 firearms and repealing provisions relating to proof of  
11 license and exception; and making editorial changes.

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. Sections 913(b)(3) and 6105.2(g)(1) of Title 18  
4 of the Pennsylvania Consolidated Statutes are amended to read:

5 § 913. Possession of firearm or other dangerous weapon in court  
6 facility.

7 \* \* \*

8 (b) Grading.--

9 \* \* \*

10 (3) An offense under subsection (a)(1) is a summary  
11 offense if the person was carrying a firearm under section  
12 [6106(b) (relating to firearms not to be carried without a  
13 license) or] 6109 (relating to licenses) and failed to check  
14 the firearm under subsection (e) prior to entering the court  
15 facility.

16 \* \* \*

17 § 6105.2. Relinquishment of firearms and firearm licenses by  
18 convicted persons.

19 \* \* \*

20 (g) Relinquishment of licenses.--

21 (1) A person convicted of a crime resulting in a firearm  
22 disability pursuant to section 6105(c)(9) shall also  
23 relinquish to the sheriff any firearm license issued under  
24 section [6106 (relating to firearms not to be carried without  
25 a license) or] 6109 (relating to licenses) or 23 Pa.C.S. §  
26 6108.3 (relating to relinquishment to third party for  
27 safekeeping).

28 \* \* \*

29 Section 2. Section 6106 of Title 18 is repealed:

30 [§ 6106. Firearms not to be carried without a license.]

1 (a) Offense defined.--

2 (1) Except as provided in paragraph (2), any person who  
3 carries a firearm in any vehicle or any person who carries a  
4 firearm concealed on or about his person, except in his place  
5 of abode or fixed place of business, without a valid and  
6 lawfully issued license under this chapter commits a felony  
7 of the third degree.

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

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

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

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

23 (3) The regularly enrolled members of any organization  
24 duly organized to purchase or receive such firearms from the  
25 United States or from this Commonwealth.

26 (4) Any persons engaged in target shooting with a  
27 firearm, if such persons are at or are going to or from their  
28 places of assembly or target practice and if, while going to  
29 or from their places of assembly or target practice, the  
30 firearm is not loaded.

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

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

7 (7) Any person engaged in the business of manufacturing,  
8 repairing, or dealing in firearms, or the agent or  
9 representative of any such person, having in his possession,  
10 using or carrying a firearm in the usual or ordinary course  
11 of such business.

12 (8) Any person while carrying a firearm which is not  
13 loaded and is in a secure wrapper from the place of purchase  
14 to his home or place of business, or to a place of repair,  
15 sale or appraisal or back to his home or place of business,  
16 or in moving from one place of abode or business to another  
17 or from his home to a vacation or recreational home or  
18 dwelling or back, or to recover stolen property under section  
19 6111.1(b) (4) (relating to Pennsylvania State Police), or to a  
20 place of instruction intended to teach the safe handling, use  
21 or maintenance of firearms or back or to a location to which  
22 the person has been directed to relinquish firearms under 23  
23 Pa.C.S. § 6108 (relating to relief) or back upon return of  
24 the relinquished firearm or to a licensed dealer's place of  
25 business for relinquishment pursuant to 23 Pa.C.S. § 6108.2  
26 (relating to relinquishment for consignment sale, lawful  
27 transfer or safekeeping) or back upon return of the  
28 relinquished firearm or to a location for safekeeping  
29 pursuant to 23 Pa.C.S. § 6108.3 (relating to relinquishment  
30 to third party for safekeeping) or back upon return of the

1 relinquished firearm.

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

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

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

13 (12) A person who has a lawfully issued license to carry  
14 a firearm pursuant to section 6109 (relating to licenses) and  
15 that said license expired within six months prior to the date  
16 of arrest and that the individual is otherwise eligible for  
17 renewal of the license.

18 (13) Any person who is otherwise eligible to possess a  
19 firearm under this chapter and who is operating a motor  
20 vehicle which is registered in the person's name or the name  
21 of a spouse or parent and which contains a firearm for which  
22 a valid license has been issued pursuant to section 6109 to  
23 the spouse or parent owning the firearm.

24 (14) A person lawfully engaged in the interstate  
25 transportation of a firearm as defined under 18 U.S.C. §  
26 921(a)(3) (relating to definitions) in compliance with 18  
27 U.S.C. § 926A (relating to interstate transportation of  
28 firearms).

29 (15) Any person who possesses a valid and lawfully  
30 issued license or permit to carry a firearm which has been

1 issued under the laws of another state, regardless of whether  
2 a reciprocity agreement exists between the Commonwealth and  
3 the state under section 6109(k), provided:

4 (i) The state provides a reciprocal privilege for  
5 individuals licensed to carry firearms under section  
6 6109.

7 (ii) The Attorney General has determined that the  
8 firearm laws of the state are similar to the firearm laws  
9 of this Commonwealth.

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

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

13 (1) Before any exception shall be granted under  
14 paragraph (b)(9) or (10) of this section to any person 18  
15 years of age or older licensed to hunt, trap or fish or who  
16 has been issued a permit relating to hunting dogs, such  
17 person shall, at the time of securing his hunting, furtaking  
18 or fishing license or any time after such license has been  
19 issued, secure a sportsman's firearm permit from the county  
20 treasurer. The sportsman's firearm permit shall be issued  
21 immediately and be valid throughout this Commonwealth for a  
22 period of five years from the date of issue for any legal  
23 firearm, when carried in conjunction with a valid hunting,  
24 furtaking or fishing license or permit relating to hunting  
25 dogs. The sportsman's firearm permit shall be in triplicate  
26 on a form to be furnished by the Pennsylvania State Police.  
27 The original permit shall be delivered to the person, and the  
28 first copy thereof, within seven days, shall be forwarded to  
29 the Commissioner of the Pennsylvania State Police by the  
30 county treasurer. The second copy shall be retained by the

1 county treasurer for a period of two years from the date of  
2 expiration. The county treasurer shall be entitled to collect  
3 a fee of not more than \$6 for each such permit issued, which  
4 shall include the cost of any official form. The Pennsylvania  
5 State Police may recover from the county treasurer the cost  
6 of any such form, but may not charge more than \$1 for each  
7 official permit form furnished to the county treasurer.

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

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

15 (e) Definitions.--

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

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

25 Section 3. Section 6106.1(a) of Title 18 is amended to read:

26 § 6106.1. Carrying loaded weapons other than firearms.

27 (a) General rule.--Except as provided in Title 34 (relating  
28 to game), no person shall carry a loaded pistol, revolver,  
29 shotgun or rifle, other than a firearm as defined in section  
30 6102 (relating to definitions), in any vehicle. [The provisions

1 of this section shall not apply to persons excepted from the  
2 requirement of a license to carry firearms under section 6106(b)  
3 (1), (2), (5) or (6) (relating to firearms not to be carried  
4 without a license) nor shall the provisions of this section be  
5 construed to permit persons to carry firearms in a vehicle where  
6 such conduct is prohibited by section 6106.]

7 \* \* \*

8 Section 4. Title 18 is amended by adding a section to read:  
9 § 6106.2. License not required.

10 (a) Declaration.--Every person present in this Commonwealth  
11 shall have an affirmative, fundamental and constitutional right  
12 to keep and bear firearms, including the right to carry openly  
13 or concealed, carry loaded or unloaded, train with, transport,  
14 possess, use, acquire, purchase, transfer, inherit, buy, sell,  
15 give or otherwise dispose of or receive any firearm or self-  
16 defense device without a license, permission or restriction of  
17 any kind from or by this Commonwealth or any of its political  
18 subdivisions.

19 (b) Optional license.--Obtaining a license to carry a  
20 firearm under this chapter shall be optional. The voluntary  
21 nature of the license may not be construed to require that any  
22 person obtain a license to carry a firearm under this chapter.

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

24 [§ 6108. Carrying firearms on public streets or public property  
25 in Philadelphia.]

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

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

30 (2) such person is exempt from licensing under section



1 6106(b) of this title (relating to firearms not to be carried  
2 without a license).]

3 Section 6. Section 6107(a)(2) of Title 18 is amended to  
4 read:

5 § 6107. Prohibited conduct during emergency.

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

10 \* \* \*

11 (2) Licensed to carry firearms under section 6109  
12 (relating to licenses) [or is exempt from licensing under  
13 section 6106(b) (relating to firearms not to be carried  
14 without a license)].

15 \* \* \*

16 Section 7. Title 18 is amended by adding a section to read:

17 § 6108.1. Sportsman's firearm permit.

18 (a) Permit allowed.--Any person 18 years of age or older who  
19 has been issued a hunting license, trapping license or fishing  
20 license or who has been issued a permit relating to hunting dogs  
21 may, at the time of obtaining the hunting, trapping or fishing  
22 license or any time after the license has been issued, obtain a  
23 sportsman's firearm permit from the county treasurer.

24 (b) Issuance.--The sportsman's firearm permit shall be  
25 issued immediately and shall be valid throughout this  
26 Commonwealth for a period of five years from the date of issue  
27 for any legal firearm when carried in conjunction with a valid  
28 hunting, furtaking or fishing license or permit relating to  
29 hunting dogs.

30 (c) Form.--The sportsman's firearm permit shall be in

1 triplicate on a form to be furnished by the Pennsylvania State  
2 Police. The original permit shall be delivered to the person and  
3 a copy of the permit shall be forwarded to the Commissioner of  
4 Pennsylvania State Police by the county treasurer within seven  
5 days of the date of delivery. A copy of the permit shall be  
6 retained by the county treasurer for a period of two years from  
7 the date of expiration.

8 (d) Fee.--The county treasurer may collect a fee of not more  
9 than \$6 for each permit issued, which shall include the cost of  
10 any official form. The Pennsylvania State Police may recover  
11 from the county treasurer the cost of the form but may not  
12 charge more than \$1 for each official permit form furnished to  
13 the county treasurer.

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

17 Section 8. Sections 6109(a), (b), (c), (d) heading,  
18 introductory paragraph, (3), (4) and (5), (e)(1) introductory  
19 paragraph, (i), (v) and (vii), (3)(ii) and (4), (f)(2) and (4),  
20 (g), (h)(3) and (4), (i.1) heading and (1), (j) and (m.1)(1)  
21 introductory paragraph, (ii), (2), (3), (4), (7) and (9) and  
22 6118(b) of Title 18 are amended to read:

23 § 6109. Licenses.

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

27 (1) Due to every Commonwealth resident having a  
28 fundamental constitutional right to keep and bear arms,  
29 obtaining a license under this section shall be optional.  
30 Nothing in this section shall be construed to require that a

1 person must obtain a license under this section in order to  
2 carry a concealed firearm.

3 (2) The voluntary nature of a license to carry a firearm  
4 may not be construed to relieve the issuing authority of the  
5 burden of proof for denying an application for a license.  
6 Issuance of a license to carry a firearm under this section  
7 by the proper authority shall be prima facie evidence that  
8 law enforcement authorities have verified that the individual  
9 is qualified under the law and is not prohibited from  
10 possessing firearms under section 6105 (relating to persons  
11 not to possess, use, manufacture, control, sell or transfer  
12 firearms) or under any other provision of the laws of this  
13 Commonwealth.

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

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

23 (b) Place of application.--An individual [who is 21 years of  
24 age or older] may apply to [a sheriff] the proper issuing  
25 authority for a license to carry a firearm [concealed on or  
26 about his person or in a vehicle] within this Commonwealth. If  
27 the applicant is a resident of this Commonwealth, he shall make  
28 application with the sheriff of the county in which he resides  
29 or, if a resident of a city of the first class, with the chief  
30 of police of that city. If the applicant is not a resident of

1 this Commonwealth, the applicant shall make application with the  
2 sheriff of any county.

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

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

1 I will promptly notify the [sheriff of the county in  
2 which I reside or, if I reside in a city of the first  
3 class, the chief of police of that city] issuing  
4 authority.

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

8 \* \* \*

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

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

16 (5) conduct a criminal background, juvenile delinquency  
17 and mental health check [following the procedures set forth  
18 in section 6111 (relating to sale or transfer of firearms),  
19 receive] by contacting the National Instant Criminal  
20 Background Check System and must have received a unique  
21 approval number for that inquiry and record the date and  
22 number on the application.

23 (e) Issuance of license.--

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

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

4 \* \* \*

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

10 \* \* \*

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

12 \* \* \*

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

17 \* \* \*

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

20 \* \* \*

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

25 \* \* \*

26 (f) Term of license.--

27 \* \* \*

28 (2) At least 60 days prior to the expiration of each  
29 license, the issuing [sheriff] authority shall send to the  
30 licensee an application for renewal of license. Failure to

1 receive a renewal application shall not relieve a licensee  
2 from the responsibility to renew the license.

3 \* \* \*

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

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

22 (h) Fee.--

23 \* \* \*

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

1 the account and any investment income accrued are hereby  
2 appropriated on a continuing basis to the Pennsylvania State  
3 Police.

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

8 \* \* \*

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

10 Notwithstanding any statute to the contrary:

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

25 \* \* \*

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



1 \* \* \*

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

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

7 \* \* \*

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

17 \* \* \*

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

30 (3) If the [sheriff] issuing authority refuses to issue

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

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

23 \* \* \*

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

1 \* \* \*

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

13 \* \* \*

14 § 6118. Antique firearms.

15 \* \* \*

16 (b) Exception.--Subsection (a) shall not apply to the extent  
17 that such antique firearms, reproductions or replicas of  
18 firearms are concealed weapons as provided in [section 6106  
19 (relating to firearms not be carried without a license), nor  
20 shall it apply to the provisions of] section 6105 (relating to  
21 persons not to possess, use, manufacture, control, sell or  
22 transfer firearms) if such antique firearms, reproductions or  
23 replicas of firearms are suitable for use.

24 Section 9. Section 6122 of Title 18 is repealed:

25 [§ 6122. Proof of license and exception.

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

1 hearing shall create a rebuttable presumption of nonlicensure.

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

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

10 § 6108. Relief.

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

15 \* \* \*

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

1 shall be transmitted to the chief or head of the appropriate  
2 law enforcement agency and to the sheriff of the county of  
3 which the defendant is a resident. When relinquishment is  
4 ordered, the following shall apply:

5 \* \* \*

6 Section 11. This act shall take effect in 60 days.