



Legislation Details (With Text)

File #: 080015 **Version:** 0 **Name:**

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On agenda: **Final action:**

Title: Amending Chapter 10-800 of The Philadelphia Code, entitled "Safety," by adding a new Section to prohibit the possession or acquisition of firearms by persons charged with certain criminal offenses, during the pendency of such charges, under certain terms and conditions.

Sponsors: Councilmember Miller, Councilmember Miller, Councilmember Clarke, Councilmember Clarke

Indexes: FIREARMS, GUNS

Code sections: 10-800 - Safety

Attachments: 1. Bill No. 08001500.pdf

Date	Ver.	Action By	Action	Result	Tally
3/31/2011	0	CITY COUNCIL	ORDER THE BILL PLACED ON NEXT WEEK'S SUSPENSION CALENDAR	Pass	17:0
3/27/2008	0	Committee on Public Safety	HEARING NOTICES SENT		
3/27/2008	0	Committee on Public Safety	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
3/27/2008	0	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
3/27/2008	0	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
3/27/2008	0	CITY COUNCIL	ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
1/24/2008	0	CITY COUNCIL	Referred		
1/24/2008	0	CITY COUNCIL	Introduced	Pass	

Amending Chapter 10-800 of The Philadelphia Code, entitled "Safety," by adding a new Section to prohibit the possession or acquisition of firearms by persons charged with certain criminal offenses, during the pendency of such charges, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 10-800 of The Philadelphia Code is amended to read as follows:

CHAPTER 10-800. SAFETY.

* * *

§ 10-839. Possession of Firearms by Persons Accused of Violent Crime.

(1) No person who is charged by the Commonwealth with any offense enumerated in 18 Pa. C.S. § 6105(b) or (c)(2), or charged by any other state or by the United States with an offense equivalent to any such enumerated offense, shall acquire, possess, control or maintain custody of any firearm.

(a) The Police Commissioner shall develop, in conjunction with the District Attorney and the United States Attorney, a mechanism by which the Police Department is promptly informed of any charges enumerated above.

(b) Any person subject to the prohibition of this Section shall immediately after being charged with an enumerated offense relinquish to the Police Department any firearms that he or she owns, possesses, controls or of which he or she has custody. The Police Department shall maintain such firearms in a secure manner, to be returned to the transferor upon either acquittal or non-prosecution of all enumerated charges. In the event of a conviction, the Police Department shall allow the convicted person sixty days to make such arrangements, including by designation of an authorized agent, as may be necessary to sell or otherwise transfer any firearm relinquished under this Section to a person not prohibited by law from acquiring or possessing a firearm; in the event no such arrangements are made, the Police Department may dispose of the firearm.

Explanation:

Italics indicate new matter added.