



Legislation Details (With Text)

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Title: Amending Title 10 of The Philadelphia Code, entitled "Regulation of Individual Conduct and Activity," by adding a new section to make police interactions with gun owners safer by including duties and penalties for individuals stopped by law enforcement officers who are licensed or exempted to carry a concealed firearm and are in possession of a firearm; all under certain terms and conditions.

Sponsors: Council President Clarke, Councilmember Jones

Indexes: GUNS, SAFETY

Code sections: 10-800 - Safety

Attachments: 1. Bill No. 19060300.pdf

Date	Ver.	Action By	Action	Result	Tally
6/20/2019	0	CITY COUNCIL			

Amending Title 10 of The Philadelphia Code, entitled "Regulation of Individual Conduct and Activity," by adding a new section to make police interactions with gun owners safer by including duties and penalties for individuals stopped by law enforcement officers who are licensed or exempted to carry a concealed firearm and are in possession of a firearm; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 10 is amended by adding the following new section:

§ 10-842. Proper Conduct During Encounters with Police.

Stops by law enforcement officials are inherently more dangerous when the individual stopped is in possession of a firearm. To better ensure the safety of the both individual and law enforcement the following shall apply:

- 1. An individual licensed to carry a concealed firearm who is stopped by a law enforcement officer (traffic stop or otherwise) while in possession of a firearm shall immediately disclose to the law enforcement officer that he or she is carrying a concealed firearm either on their person or in their motor vehicle.*
- 2. An individual licensed to carry a concealed firearm shall have the license in his or her possession whenever he or she is carrying a concealed firearm.*
- 3. Upon lawful request by a law enforcement officer, an individual licensed to carry a concealed firearm shall produce the following to the officer:*
 - (a) The individual's license to carry a concealed firearm; and*
 - (b) The individual's driver license or personal identification card.*
- 4. An individual claiming an exemption under 18 Pa.C.S. Section 6106(b) (relating to firearms not to be carried without a license) shall upon lawful demand of a law enforcement officer produce satisfactory evidence*

of his or her qualification for exemption.

5. Penalty. Failure to comply with this section carries the following penalties:

(a) \$1000 fine for first offense.

(b) \$2000 fine and license revocation for good cause pursuant to 18 Pa.C.S. Section 6109(i) (relating to Licenses) for a second or subsequent offense.

license to carry a concealed firearm or personal identification while carrying a concealed firearm:

(a) Individual has 30 days from the date of seizure in which to display their valid license to carry a concealed firearm and their identification to the law enforcement agency that seized the firearm and the firearm shall be returned.

(b) If the individual does not display their valid license to carry a concealed firearm and identification within 30 days of seizure the firearm is subject to forfeiture.

SECTION 2. This Ordinance is effective immediately.

Explanation:

Italics indicate matter added.