



Legislation Text

File #: 100722-A, **Version:** 1

Amending Chapter 10-818 of The Philadelphia Code to provide that no person shall carry a firearm on public streets or public property unless the person is licensed to carry such firearm by a political subdivision of the Commonwealth of Pennsylvania, regardless of whether the person possesses a license issued in another state, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 10-818 of The Philadelphia Code is hereby amended to read as follows:

§ 10-818. Firearms in Public Places.

(1) Definition.

Firearms. "Firearms" means any revolver, pistol, rifle, shotgun or other weapon capable of propelling a projectile by means of an explosive material or charge.

(2) Prohibited Conduct. No person shall carry a firearm upon the public streets or upon any public property at any time unless that person is:

(a) *either (.1) a resident of Pennsylvania licensed by a political subdivision of the Commonwealth of Pennsylvania to carry a firearm or licensed to hunt; or (.2) a resident of another state, which state has a reciprocity agreement with Pennsylvania under 18 Pa. C.S. § 6109(k) or has statutory reciprocity under § 6106(b), and is licensed by such state to carry a firearm or to hunt;*

(b) actively engaged in a defense of his life or property from imminent peril or threat; or

(c) a police officer or member of the State or Federal militia on active duty.

(3) In the event that a court of competent jurisdiction determines, in a final Order from which no further appeal is available, that persons with licenses from states other than those set forth in subsection (2)(a) have a statutory right to carry a firearm upon the public streets or public property, then, in addition to the persons categorized in subsection (2)(a), the following persons shall not be prohibited from carrying a firearm upon the public streets or public property:

(a) a person licensed to carry a firearm or to hunt by a state with firearms laws similar to the firearms laws of Pennsylvania, and which provides a reciprocal privilege for individuals licensed by Pennsylvania. For purposes of this subsection (a), only the following states are deemed to have firearms laws similar to those of Pennsylvania: Colorado, Idaho, Indiana, Louisiana, Montana, North Dakota and Utah.

[(3)] (4) Penalty. The penalty for violation of this Section shall be a fine of not less than three hundred (300) dollars and imprisonment of not less than ninety days.

Explanation:

[Brackets] indicate matter deleted.

Italics indicate new matter added.