



Legislation Details (With Text)

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**On agenda:**      **Final action:**

**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.

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**Explanation:**

*Italics indicate matter added.*