

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 2126 Session of  
2026

INTRODUCED BY KINKEAD, HILL-EVANS, MADDEN, HOHENSTEIN, SANCHEZ, RABB, KHAN, SCHWEYER, GREEN, FRANKEL, RIVERA, CEPEDA-FREYTIZ, WAXMAN AND SHUSTERMAN, JANUARY 9, 2026

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 9, 2026

## AN ACT

1 Amending Titles 18 (Crimes and Offenses), 23 (Domestic  
2 Relations) and 34 (Game) of the Pennsylvania Consolidated  
3 Statutes, in firearms and other dangerous articles, further  
4 providing for definitions, for the offense of persons not to  
5 possess, use, manufacture, control, sell or transfer  
6 firearms, for the offense of firearms not to be carried  
7 without a license and for licenses, providing for firearm  
8 eligibility license, for application for firearm eligibility  
9 license, for fee and qualification, for training course and  
10 investigations and for issuance and terms and further  
11 providing for sale or transfer of firearms, for Pennsylvania  
12 State Police, for proof of license and exception and for  
13 administrative regulations; and making editorial changes.

14 The General Assembly of the Commonwealth of Pennsylvania  
15 hereby enacts as follows:

16 Section 1. Section 913(b)(3) of Title 18 of the Pennsylvania  
17 Consolidated Statutes is amended to read:

18 § 913. Possession of firearm or other dangerous weapon in court  
19 facility.

20 \* \* \*

21 (b) Grading.--

22 \* \* \*

23 (3) An offense under subsection (a)(1) is a summary

1 offense if the person was carrying a firearm under section  
2 6106(b) (relating to firearms not to be carried without a  
3 license) or 6109 (relating to [licenses] license to carry)  
4 and failed to check the firearm under subsection (e) prior to  
5 entering the court facility.

6 \* \* \*

7 Section 2. Section 6102 of Title 18 is amended by adding  
8 definitions to read:

9 § 6102. Definitions.

10 Subject to additional definitions contained in subsequent  
11 provisions of this subchapter which are applicable to specific  
12 provisions of this subchapter, the following words and phrases,  
13 when used in this subchapter shall have, unless the context  
14 clearly indicates otherwise, the meanings given to them in this  
15 section:

16 \* \* \*

17 "Firearm eligibility license." A license issued by the  
18 commissioner that authorizes a person to purchase a firearm.

19 \* \* \*

20 "Qualified firearm instructor." A certified firearms  
21 instructor who is recognized by the Pennsylvania State Police  
22 and has one of the following:

23 (1) A valid qualified firearm instructor license issued  
24 by the commissioner.

25 (2) A certificate issued by a nationally recognized  
26 firearms organization.

27 \* \* \*

28 Section 3. Section 6105(h) of Title 18 is amended and  
29 subsection (c) is amended by adding a paragraph to read:  
30 § 6105. Persons not to possess, use, manufacture, control, sell

or transfer firearms.

\* \* \*

3 (c) Other persons.--In addition to any person who has been  
4 convicted of any offense listed under subsection (b), the  
5 following persons shall be subject to the prohibition of  
6 subsection (a):

\* \* \*

(11) A person who does not possess a valid firearm  
eligibility license required under section 6109.1 (relating  
to firearm eligibility license).

\* \* \*

12 (h) License prohibition.--Any person who is prohibited from  
13 possessing, using, controlling, selling, purchasing,  
14 transferring or manufacturing any firearm under this section  
15 shall not be eligible for or permitted to obtain a license to  
16 carry a firearm under section 6109 (relating to [licenses]  
17 license to carry).

\* \* \*

19 Section 4. Sections 6106(a) and (b)(12) and 6107(a)(2) of  
20 Title 18 are amended to read:

21 § 6106. Firearms not to be carried without a license.

22 (a) Offense defined.--

30 (2) A person who is otherwise eligible to possess a

1 valid license [under this chapter] to carry under section  
2 6109 but carries a firearm in any vehicle or any person who  
3 carries a firearm concealed on or about his person, except in  
4 his place of abode or fixed place of business, without a  
5 valid and lawfully issued license to carry and has not  
6 committed any other criminal violation commits a misdemeanor  
7 of the first degree.

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

10 \* \* \*

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

16 \* \* \*

17 § 6107. Prohibited conduct during emergency.

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

22 \* \* \*

23 (2) Licensed to carry firearms under section 6109  
24 (relating to [licenses] license to carry) or is exempt from  
25 licensing under section 6106(b) (relating to firearms not to  
26 be carried without a license).

27 \* \* \*

28 Section 5. Section 6109 heading, (c), (d)(4) and (5) of  
29 Title 18 are amended, subsection (d) is amended by adding a  
30 paragraph and subsection (e)(1) and (3) are amended by adding

1 subparagraphs to read:

2 § 6109. [Lenses] License to carry.

3 \* \* \*

4 (c) Form of application and content.--The application for a

5 license to carry a firearm shall be uniform throughout this

6 Commonwealth and shall be on a form prescribed by the

7 Pennsylvania State Police. The form may contain provisions, not

8 exceeding one page, to assure compliance with this section.

9 Issuing authorities shall use only the application form

10 prescribed by the Pennsylvania State Police. One of the

11 following reasons for obtaining a firearm license shall be set

12 forth in the application: self-defense, employment, hunting and

13 fishing, target shooting, gun collecting or another proper

14 reason. The application form shall be dated and signed by the

15 applicant and shall contain the following statement:

16 I am the holder of a valid firearm eligibility license. I

17 have never been convicted of a crime that prohibits me

18 from possessing or acquiring a firearm under Federal or

19 State law. I am of sound mind and have never been

20 committed to a mental institution. I hereby certify that

21 the statements contained herein are true and correct to

22 the best of my knowledge and belief. I understand that,

23 if I knowingly make any false statements herein, I am

24 subject to penalties prescribed by law. I authorize the

25 sheriff, or his designee, or, in the case of first class

26 cities, the chief or head of the police department, or

27 his designee, to inspect only those records or documents

28 relevant to information required for this application. If

29 I am issued a license and knowingly become ineligible to

30 legally possess or acquire firearms, I will promptly

1                   notify the sheriff of the county in which I reside or, if  
2                   I reside in a city of the first class, the chief of  
3                   police of that city.

4                   (d) Sheriff to conduct investigation.--The sheriff to whom  
5                   the application is made shall:

6                   \* \* \*  
7                   (4) investigate whether the applicant would be precluded  
8                   from receiving a license under subsection (e)(1) or section  
9                   6105(h) (relating to persons not to possess, use,  
10                   manufacture, control, sell or transfer firearms); [and]

11                   (5) conduct a criminal background, juvenile delinquency  
12                   and mental health check following the procedures set forth in  
13                   section 6111 (relating to sale or transfer of firearms),  
14                   receive a unique approval number for that inquiry and record  
15                   the date and number on the application[.]; and

16                   (6) confirm with the Pennsylvania State Police that the  
17                   applicant holds a valid firearm eligibility license under  
18                   section 6109.1 (relating to firearm eligibility license).

19                   (e) Issuance of license.--

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

27                   \* \* \*

28                   (xv) An individual who does not possess a valid  
29                   firearm eligibility license under section 6109.1.

30                   (3) The license to carry a firearm shall be designed to

1 be uniform throughout this Commonwealth and shall be in a  
2 form prescribed by the Pennsylvania State Police. The license  
3 shall bear the following:

4 \* \* \*

5 (vii) The number of the licensee's firearm  
6 eligibility license.

7 \* \* \*

8 Section 6. Title 18 is amended by adding sections to read:

9 § 6109.1. Firearm eligibility license.

10 (a) Requirement.--Except as provided in subsection (b), an  
11 individual shall be required to possess a valid firearm  
12 eligibility license in order to purchase a firearm within this  
13 Commonwealth.

14 (b) Exception.--Subsection (a) shall not apply to any of the  
15 following:

16 (1) A licensed firearms manufacturer.

17 (2) A dealer licensed under section 6113 (relating to  
18 licensing of dealers).

19 (3) A law enforcement officer or person who is retired  
20 in good standing from service with a law enforcement agency  
21 of the United States, this Commonwealth or a local law  
22 enforcement agency of this Commonwealth.

23 (4) A member or retired member of the armed forces of  
24 the United States or the Pennsylvania National Guard.

25 (5) A person purchasing, owning, possessing or receiving  
26 an antique firearm as defined in section 6118 (relating to  
27 antique firearms) or reproductions or replicas of firearms if  
28 the antique firearm, reproduction or replica is not suitable  
29 for use.

30 § 6109.2. Application for firearm eligibility license.

1       (a) Place of application.--An individual may apply to an  
2 issuing authority, as defined under section 6109.4(f) (relating  
3 to training course and investigations), for a firearm  
4 eligibility license. If the applicant is a resident of this  
5 Commonwealth, the applicant must apply with the sheriff of the  
6 county in which the applicant resides. If the applicant lives in  
7 a city of the first class, the applicant must apply with the  
8 chief of police of the city.

9       (b) Form of application and content.--The application for a  
10 firearm eligibility license shall be uniform across this  
11 Commonwealth and shall be on a form prescribed by the  
12 Pennsylvania State Police. Each application shall be signed and  
13 dated by the applicant. The form may contain provisions, not  
14 exceeding one page, to ensure compliance with this section.  
15 Issuing authorities shall use only the application form  
16 prescribed by the Pennsylvania State Police. The application  
17 shall contain the following statement:

18       I have never been convicted of a crime that prohibits me  
19 from possessing or acquiring a firearm under Federal or  
20 State law. I am of sound mind and have never been  
21 committed to a mental institution. I hereby certify that  
22 the statements contained herein are true and correct to  
23 the best of my knowledge and belief. I understand that,  
24 if I knowingly make any false statement herein, I am  
25 subject to penalties prescribed by law. I authorize the  
26 sheriff or the sheriff's designee, or the chief of the  
27 police department or the chief's designee, to inspect  
28 only those records or documents relevant to the  
29 information required for this application. If I am issued  
30 a license and knowingly become ineligible to legally

1       possess or acquire firearms, I will promptly notify the  
2       sheriff of the county in which I reside or, if I reside  
3       in a city of the first class, the chief of police of that  
4       city.

5       § 6109.3. Fee and qualification.

6       (a) Firearm eligibility license fee.--

7       (1) The fees for a firearm eligibility license are as  
8       follows:

9       (i) Fifty dollars for the original license.

10       (ii) Thirty dollars for a license renewal that

11       includes the following:

12       (A) A renewal processing fee of \$1.50.

13       (B) An administrative fee of \$5 under section

14       14(2) of the act of July 6, 1984 (P.L.614, No.127),

15       known as the Sheriff Fee Act.

16       (C) An administrative fee of \$2 for the costs of  
17       completing the background investigation under section

18       6109.4(c) (relating to training course and

19       investigations). The fee shall be deposited into the

20       Firearm Instant Records Check Fund under section

21       6111.2 (relating to firearm sales surcharge).

22       (2) All license fees remaining after the fees under  
23       paragraph (1) shall be deposited in the General Fund.

24       (3) No fee other than under this section or the Sheriff  
25       Fee Act may be assessed by the issuing authority, as defined  
26       under section 6109.4(f), for the cost of a background check  
27       performed in the process of issuing a firearm eligibility  
28       license.

29       (b) Qualifications for license.--An issuing authority, as  
30       defined under section 6109.4(f), shall issue a firearm

1 eligibility license to an applicant who meets the following  
2 criteria:

3 (1) Is at least 18 years of age.

4 (2) Is a resident of this Commonwealth.

5 (3) Within three years prior to the submission of the  
6 application, demonstrates satisfactory completion of a  
7 certified firearms training course approved by the  
8 commissioner that includes all of the following:

9 (i) A minimum of 16 hours of instruction by a  
10 qualified firearm instructor.

11 (ii) Classroom instruction on all the following:

12 (A) Commonwealth firearm law.

13 (B) Home firearm safety.

14 (C) Firearm mechanisms and operations.

15 (iii) A firearms orientation component that  
16 demonstrates the person's safe operation, handling and  
17 use of a firearm.

18 (4) Is not prohibited by Federal or State law from  
19 purchasing or possessing a firearm. For purposes of  
20 determining this, the following shall apply:

21 (i) The applicant shall provide a full set of  
22 fingerprints to the Pennsylvania State Police.

23 (ii) The Pennsylvania State Police shall submit the  
24 fingerprints to the Federal Bureau of Investigation to  
25 verify the identity of the applicant and obtain a current  
26 record of criminal arrests and convictions.

27 § 6109.4. Training course and investigations.

28 (a) Firearms training course.--The commissioner shall have  
29 the following powers and duties:

30 (1) To promulgate guidelines setting forth the

1       requirements to become a qualified firearm instructor in this  
2       Commonwealth.

3       (2) To designate any program as a certified firearm  
4       training course if the program meets the minimum requirements  
5       established by the commissioner.

6       (b) Waiver of training course.--An applicant for a firearm  
7       eligibility license shall not be required to complete a firearm  
8       safety training course under subsection (a) if the applicant is  
9       any of the following:

10      (1) A qualified firearm instructor.

11      (2) A member or honorably discharged member of the armed  
12      forces of the United States or the National Guard.

13      (3) A police officer, as defined in 53 Pa.C.S. § 2162  
14      (relating to definitions) who is certified under 53 Pa.C.S.  
15      Ch. 21 Subch. D (relating to municipal police education and  
16      training). The term includes a school police officer  
17      appointed under section 1302-C of the act of March 10, 1949  
18      (P.L.30, No.14), known as the Public School Code of 1949.

19      (4) An active or retired Federal or State law  
20      enforcement officer.

21      (5) Certified under 61 Pa.C.S. Ch. 63 (relating to  
22      county probation officers' firearm education and training).

23      (6) A Commonwealth or county corrections officer or  
24      probation or parole agent.

25      (7) A county sheriff, deputy sheriff or constable.

26      (8) The lawful owner of a firearm prior to the effective  
27      date of this paragraph.

28      (c) Conduct of investigation.--The issuing authority to whom  
29      the application is made shall:

30      (1) Investigate the applicant's record of criminal

1 conviction.

2       (2) Review the applicant's completed Federal criminal  
3 history check.

4       (3) Investigate whether the applicant would be precluded  
5 or is prohibited from possessing, using, controlling,  
6 selling, purchasing, transferring or manufacturing a firearm  
7 under section 6105 (relating to persons not to possess, use,  
8 manufacture, control, sell or transfer firearms).

9       (4) Conduct a criminal background, juvenile delinquency  
10 and mental health check following the procedures set forth in  
11 section 6111 (relating to sale or transfer of firearms),  
12 receive a unique approval number for that inquiry and record  
13 the date and number on the application.

14       (d) Notice to issuing authority.--A court, mental health  
15 review officer or county administrator for mental health and  
16 intellectual disability services shall notify the issuing  
17 authority of the county or city in which an individual holds a  
18 firearm eligibility license on a form prescribed by the  
19 Pennsylvania State Police within seven days of the individual's  
20 conviction or adjudication or upon determination of any of the  
21 following:

22       (1) A crime specified in section 6105(a) or (b).

23       (2) A crime punishable by imprisonment exceeding one  
24 year.

25       (3) Conduct that meets the criteria of section 6105(c)  
26 (1), (2), (3), (5), (6) or (9).

27       (4) Incompetency.

28       (5) Involuntary commitment to a mental institution for  
29 inpatient care and treatment under the act of July 9, 1976  
30 (P.L.817, No.143), known as the Mental Health Procedures Act.

(6) Involuntary treatment for an individual meeting the criteria of section 6105(c) (4).

(e) Immunity.--An issuing authority that complies in good faith with this section shall be immune from liability resulting or arising from the action of misconduct with a firearm committed by an individual who was issued a firearm eligibility license.

(f) Definition.--As used in this section, the term "issuing authority" shall mean a county sheriff or chief of police of a city of the first class.

§ 6109.5. Issuance and terms.

(a) Issuance of license.--

(1) An applicant that meets the requirements of this section shall be issued a firearm eligibility license. A license may not be issued to an individual who is prohibited from possessing, using, controlling, selling, purchasing, transferring or manufacturing a firearm under section 6105 (relating to persons not to possess, use, manufacture, control, sell or transfer firearms) or under any other Federal or State law.

(2) The firearm eligibility license shall be uniform throughout this Commonwealth and shall be in a form prescribed by the Pennsylvania State Police. The license shall bear the following:

(i) The name, address, date of birth, race, sex, citizenship, height, weight, color of hair, color of eyes and signature of the licensee.

(ii) The signature of the issuing authority.

(iii) A license number of which the first two

numbers shall be a county location code. The remaining

1                   numbers shall be issued in numerical sequence.

2                   (iv) The period of validation.

3                   (3) The firearm eligibility license shall include a  
4                   photograph of the licensee. The photograph shall be in a form  
5                   compatible with the Commonwealth Photo Imaging Network.

6                   (4) The original firearm eligibility license shall be  
7                   issued to the applicant. The first copy of the license shall  
8                   be forwarded to the Pennsylvania State Police within seven  
9                   days of the date of issuance. The second copy shall be  
10                   retained by the issuing authority for a period of seven  
11                   years. Except under a court order, both copies and the  
12                   application shall, at the end of the seven-year period, be  
13                   destroyed unless the license has been renewed.

14                   (b) Grant or denial of license.--Upon receipt of an  
15                   application for a firearm eligibility license, the issuing  
16                   authority shall issue or refuse to issue within 30 days a  
17                   license on the basis of the investigation under section  
18                   6109.4(c) (relating to training course and investigations) and  
19                   the accuracy of the information contained in the application. If  
20                   the issuing authority refuses to issue a license, the issuing  
21                   authority shall notify the applicant in writing of the refusal  
22                   and the specific reason. The notice shall be sent by certified  
23                   mail to the applicant at the address included in the  
24                   application.

25                   (c) Term of license.--

26                   (1) A firearm eligibility license issued under  
27                   subsection (a) shall be valid throughout this Commonwealth  
28                   for a period of five years unless extended under paragraph  
29                   (3) or revoked.

30                   (2) At least 60 days prior to the expiration of each

1 license, the issuing authority shall send to the licensee an  
2 application for renewal of the license. Failure to receive a  
3 renewal application shall not relieve a licensee from the  
4 responsibility to renew the license.

5 (3) Notwithstanding paragraph (1) or any other  
6 provisions of law to the contrary, a firearm eligibility  
7 license that is held by a member of the United States Armed  
8 Forces or the Pennsylvania National Guard on Federal active  
9 duty and deployed overseas that is scheduled to expire during  
10 the period of deployment shall be extended until 90 days  
11 after the end of the deployment.

12 (4) Possession of a firearm eligibility license,  
13 together with a copy of the person's military orders showing  
14 the dates of the overseas deployment, including the date that  
15 the overseas deployment ends, shall constitute a defense to  
16 any charge filed under this section during the extension  
17 period.

18 (d) Revocation.--

19 (1) A firearm eligibility license may be revoked by the  
20 issuing authority for any reason under section 6105(b) or (c)  
21 if the violation occurs during the term of the license. The  
22 revocation shall be in accordance with the following:

23 (i) Notice of revocation shall:

24 (A) Be in writing and shall state the specific  
25 reason for revocation.

26 (B) Be sent by certified mail to the individual.

27 (C) Be provided to the Pennsylvania State Police  
28 by electronic means, including email or facsimile  
29 transmission.

30 (ii) An individual who has had a license revoked may

1       appeal to the court of common pleas for the judicial  
2       district in which the individual resides.

3       (2) An individual who violates this subsection commits a  
4       summary offense.

5       (e) Immunity.--An issuing authority that complies in good  
6       faith with this section shall be immune from liability resulting  
7       or arising from the action of misconduct with a firearm  
8       committed by an individual who was issued a firearm eligibility  
9       license.

10      (f) Reciprocity.--The Attorney General shall:

11       (1) Have the power and duty to enter into reciprocity  
12       agreements with other states providing for the mutual  
13       recognition of a firearm eligibility license issued by the  
14       Commonwealth and a firearm eligibility license or permit  
15       issued by another state.

16       (2) Have the power to negotiate reciprocity agreements  
17       and grant recognition to a firearm eligibility license or  
18       permit issued by another state.

19       (3) Report to the General Assembly within 180 days of  
20       the effective date of this paragraph and annually thereafter  
21       on the agreements that have been made under this section.

22      (g) Definition.--As used in this section, the term "issuing  
23       authority" means a county sheriff or chief of police of a city  
24       of the first class.

25      Section 7. Section 6111(b)(1.1)(iii), (f)(3) and (g)(4)(iii)  
26      of Title 18 are amended and subsection (b) is amended by adding  
27      a paragraph to read:

28      § 6111. Sale or transfer of firearms.

29      \* \* \*

30      (b) Duty of seller.--No licensed importer, licensed

1 manufacturer or licensed dealer shall sell or deliver any  
2 firearm to another person, other than a licensed importer,  
3 licensed manufacturer, licensed dealer or licensed collector,  
4 until the conditions of subsection (a) have been satisfied and  
5 until he has:

6 \* \* \*

7 (1.1) On the date of publication in the Pennsylvania  
8 Bulletin of a notice by the Pennsylvania State Police that  
9 the instantaneous records check has been implemented, all of  
10 the following shall apply:

11 \* \* \*

12 (iii) For purposes of conducting the criminal  
13 history, juvenile delinquency and mental health records  
14 background check which shall be completed within ten days  
15 of receipt of the information from the dealer, the  
16 application/record of sale shall include the name,  
17 address, birthdate, gender, race, physical description  
18 [and] Social Security number of the purchaser or  
19 transferee, the purchaser or transferee's firearm  
20 eligibility license number and the date of application.

21 \* \* \*

22 (2.1) Inspected the firearm eligibility license of the  
23 potential purchaser or transferee.

24 \* \* \*

25 (f) Application of section.--

26 \* \* \*

27 (3) The provisions contained in subsection (a) shall not  
28 apply to any law enforcement officer whose current  
29 identification as a law enforcement officer shall be  
30 construed as a valid license to carry a firearm or any person

1 who possesses a valid license to carry a firearm under  
2 section 6109 (relating to [licenses] license to carry).

3 \* \* \*

4 (g) Penalties.--

5 \* \* \*

6 (4) Any person, purchaser or transferee commits a felony  
7 of the third degree if, in connection with the purchase,  
8 delivery or transfer of a firearm under this chapter, he  
9 knowingly and intentionally:

10 \* \* \*

11 (iii) willfully furnishes or exhibits any false  
12 identification, including a false firearm eligibility  
13 license, intended or likely to deceive the seller,  
14 licensed dealer or licensed manufacturer.

15 \* \* \*

16 Section 8. Section 6111.1(b) (2) and (3) and (e) (1) of Title  
17 18 are amended and subsections (b) and (i) are amended by adding  
18 paragraphs to read:

19 § 6111.1. Pennsylvania State Police.

20 \* \* \*

21 (b) Duty of Pennsylvania State Police.--

22 \* \* \*

23 (1.1) Upon receipt of an application for a firearm  
24 eligibility license under section 6109.1 (relating to firearm  
25 eligibility license), the Pennsylvania State Police shall  
26 immediately:

27 (i) Review the Pennsylvania State Police criminal  
28 history and fingerprint records to determine whether the  
29 applicant is prohibited from receipt or possession of a  
30 firearm under Federal or State law.

(ii) Review the juvenile delinquency and mental health records of the Pennsylvania State Police to determine whether the applicant is prohibited from receipt or possession of a firearm under Federal or State law.

(iii) Inform the issuing authority of whether:

(A) The issuance of a firearm eligibility license is prohibited.

(B) The individual is cleared for a firearm  
eligibility license. If the Pennsylvania State Police  
determines that the individual is eligible, the  
Pennsylvania State Police shall provide the issuing  
authority with the individual's firearm eligibility  
license.

(2) In the event of electronic failure, scheduled computer downtime or similar event beyond the control of the Pennsylvania State Police, the Pennsylvania State Police shall immediately notify the requesting licensee under paragraph (1) or the applicant under paragraph (1.1) of the reason for and estimated length of the delay. If the failure event lasts for a period exceeding 48 hours, the dealer shall not be subject to any penalty for completing a transaction absent the completion of an instantaneous records check for the remainder of the failure or similar event, but the dealer shall obtain a completed application/record of the following the provisions of section 6111(b) (1) and (1.1) relating to sale or transfer of firearms) as if an instantaneous records check has not been established for any sale or transfer of a firearm for the purpose of a subsequent background check.

(3) The Pennsylvania State Police shall fully comply, execute and enforce the directives of this section as follows:

(i) The instantaneous background check for firearms as defined in section 6102 (relating to definitions) shall begin on July 1, 1998.

(ii) The instantaneous background check for firearms that exceed the barrel lengths set forth in section 6102 shall begin on the later of:

(A) the date of publication of the notice under section 6111(a)(2); or

(B) December 31, 1998.

(iii) The instantaneous background check for a firearm eligibility license shall take effect on the effective date of this subparagraph.

\* \* \*

(e) Challenge to records.--

(1) Any person who is denied a firearm eligibility license or is denied the right to receive, sell, transfer, possess, carry, manufacture or purchase a firearm as a result of the procedures established by this section may challenge the accuracy of that person's criminal history, juvenile delinquency history or mental health record pursuant to a denial by the instantaneous records check by submitting a challenge to the Pennsylvania State Police within 30 days from the date of the denial.

\* \* \*

28 (i) Reports.--The Pennsylvania State Police shall annually  
29 compile and report to the General Assembly, on or before  
30 December 31, the following information for the previous year:

1                   \* \* \*

2                   (1.1) number of firearm eligibility license applications

3                   submitted, number of applications denied, number of

4                   challenges of the denials and number of reversals of initial

5                   denials;

6                   \* \* \*

7       Section 9. Sections 6115(b)(1)(i), 6122(a) and 6124 of Title

8   18 are amended to read:

9   § 6115. Loans on, or lending or giving firearms prohibited.

10                  \* \* \*

11                  (b) Exception.--

12                  (1) Subsection (a) shall not apply if any of the

13   following apply:

14                  (i) The person who receives the firearm is licensed

15   to carry a firearm under section 6109 (relating to

16   [licenses] license to carry).

17                  \* \* \*

18   § 6122. Proof of license and exception.

19                  (a) General rule.--When carrying a firearm concealed on or

20   about one's person or in a vehicle, an individual licensed to

21   carry a firearm shall, upon lawful demand of a law enforcement

22   officer, produce the [license] individual's firearm eligibility

23   license and license to carry for inspection. Failure to produce

24   [such license] the licenses either at the time of arrest or at

25   the preliminary hearing shall create a rebuttable presumption of

26   nonlicensure.

27                  \* \* \*

28   § 6124. Administrative regulations.

29       The commissioner may establish form specifications and

30   regulations, consistent with [section] sections 6109(c)

1 (relating to [licenses]) license to carry) and 6109.1 (relating  
2 to firearm eligibility license), with respect to uniform forms  
3 control, including the following:

- 4 (1) License to carry firearms.
- 5 (2) Firearm registration.
- 6 (3) Dealer's license.
- 7 (4) Application for purchase of a firearm.
- 8 (5) Record of sale of firearms.
- 9 (6) Firearm eligibility license.

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

12 § 6108. Relief.

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

17 \* \* \*

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

1 used or been threatened to be used in an incident of abuse  
2 against the plaintiff or the minor children. A copy of the  
3 court's order shall be transmitted to the chief or head of  
4 the appropriate law enforcement agency and to the sheriff of  
5 the county of which the defendant is a resident. When  
6 relinquishment is ordered, the following shall apply:

7 \* \* \*

8 Section 11. Sections 2325(a.1) and 2525(a) of Title 34 are  
9 amended to read:

10 § 2325. Cooperation after lawfully killing big game.

11 \* \* \*

12 (a.1) Exception.--Nothing in this section shall prohibit any  
13 person from carrying a loaded handgun in the field provided that  
14 person is in compliance with 18 Pa.C.S. § 6109 (relating to  
15 [licenses] license to carry).

16 \* \* \*

17 § 2525. Possession of firearm for protection of self or others.

18 (a) General rule.--It is lawful for a law enforcement officer  
19 or any person who possesses a valid license to carry a firearm  
20 issued under 18 Pa.C.S. § 6109 (relating to [licenses] license  
21 to carry) to be in possession of a loaded or unloaded firearm  
22 while engaged in any activity regulated by this title.

23 \* \* \*

24 Section 12. This act shall take effect in 60 days.