

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 497 Session of 2021

INTRODUCED BY SABATINA AND TARTAGLIONE, APRIL 8, 2021

REFERRED TO JUDICIARY, APRIL 8, 2021

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, in firearms and other dangerous
3 articles, further providing for the offense of carrying
4 firearms on public streets or public property in
5 Philadelphia.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 6108 of Title 18 of the Pennsylvania
9 Consolidated Statutes is amended to read:

10 § 6108. Carrying firearms on public streets or public property
11 in Philadelphia.

12 (a) General rule.--No person shall carry a firearm[, rifle
13 or shotgun] at any time upon the public streets or upon any
14 public property in a city of the first class unless:

15 (1) [such] the person is licensed to carry a firearm; or

16 (2) [such] the person is exempt from licensing under
17 section 6106(b) of this title (relating to firearms not to be
18 carried without a license).

19 (b) Mandatory sentence.--

20 (1) Notwithstanding any other provision of law, if the

1 person in possession of a firearm at the time of arrest for a
2 violation of this section is not the lawful owner of the
3 firearm, then the offense shall be graded as a felony of the
4 third degree and, upon conviction, the person shall be
5 sentenced to a minimum sentence of at least two years of
6 total confinement.

7 (2) A person sentenced under this subsection shall not
8 be eligible for parole, probation, work release or furlough.

9 (3) This subsection shall not apply to a person who is
10 otherwise eligible to possess a firearm under this chapter
11 and who is operating a motor vehicle which is registered in
12 the person's name or the name of a spouse or parent and which
13 contains a firearm for which a valid license has been issued
14 pursuant to section 6109 (relating to licenses) to the spouse
15 or parent owning the firearm.

16 (c) Definition.--For the purposes of this section, the term
17 "firearm" shall include any weapon which is designed to or may
18 readily be converted to expel a projectile by the action of an
19 explosive or the frame or receiver of the weapon.

20 Section 2. This act shall take effect in 60 days.