

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1747 Session of 2019

INTRODUCED BY DOWLING, RYAN, PICKETT, ROTHMAN, JONES, JAMES, DIAMOND, CAUSER, STAATS, PYLE, BERNSTINE, DUNBAR, NELSON, WALSH, M. K. KELLER, WARNER, IRVIN, MILLARD, ECKER, SANKEY, READSHAW, KEEFER, SAYLOR, HEFFLEY, SCHLEGEL CULVER, MOUL, GAYDOS, KLUNK, GROVE, FRITZ, B. MILLER, BARRAR, REESE AND METCALFE, AUGUST 16, 2019

REFERRED TO COMMITTEE ON JUDICIARY, AUGUST 16, 2019

AN ACT

1 Amending Titles 18 (Crimes and Offenses) and 35 (Health and
2 Safety) of the Pennsylvania Consolidated Statutes, in
3 firearms and other dangerous articles, further providing for
4 prohibited conduct during emergency; and, in Commonwealth
5 services, further providing for general authority of
6 Governor.

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

9 Section 1. Section 6107 of Title 18 of the Pennsylvania
10 Consolidated Statutes is amended to read:

11 § 6107. Prohibited conduct during emergency.

12 [(a) General rule.--No person shall carry a firearm upon the
13 public streets or upon any public property during an emergency
14 proclaimed by a State or municipal governmental executive unless
15 that person is:

16 (1) Actively engaged in a defense of that person's life
17 or property from peril or threat.

18 (2) Licensed to carry firearms under section 6109

1 (relating to licenses) or is exempt from licensing under
2 section 6106(b) (relating to firearms not to be carried
3 without a license).]

4 (b) Seizure, taking and confiscation.--[Except as otherwise
5 provided under subsection (a) and notwithstanding]

6 Notwithstanding the provisions of 35 Pa.C.S. Ch. 73 (relating to
7 Commonwealth services) or any other provision of law to the
8 contrary, no firearm, accessory or ammunition may be seized,
9 taken or confiscated during an emergency unless the seizure,
10 taking or confiscation would be authorized absent the emergency.

11 (c) Definitions.--As used in this section, the following
12 words and phrases shall have the meanings given to them in this
13 subsection:

14 "Accessory." Any scope, sight, bipod, sling, light,
15 magazine, clip or other related item that is attached to or
16 necessary for the operation of a firearm.

17 "Firearm." The term includes any weapon that is designed to
18 or may readily be converted to expel any projectile by the
19 action of an explosive or the frame or receiver of any weapon.

20 Section 2. Section 7301(f)(8) of Title 35 is amended to
21 read:

22 § 7301. General authority of Governor.

23 * * *

24 (f) Additional powers.--In addition to any other powers
25 conferred upon the Governor by law, the Governor may:

26 * * *

27 (8) Suspend or limit the sale, dispensing or
28 transportation of alcoholic beverages, [firearms,] explosives
29 and combustibles.

30 * * *

1 Section 3. This act shall take effect in 60 days.